



**Ing 12-Lot Ag Subdivision**  
**Submittal Log (As of 6-19-07)**

6/13/2006 Resubmit Subdivision Map for Subdivision Application /Tentative Subdivision Approval. Attempt #2. Bow Engineering becomes official agent for Mr. Ing for 12 Lot Subdivision (re-submitted November 22, 2005 letter).  
6/14/2006 Request for SMA Extension (3rd Extension)  
6/20/2006 Receive letter from DLNR Commission on Water Resource Management for the existing Pakulena Stream Classification.  
6/23/2006 ~~Bow Engineering becomes official agent for Mr. Ing for 12 Lot Subdivision.~~  
7/25/2006 Request for SMA Permit Extension Approval  
8/14/2006 Deferral for Subdivision Application #2 received from DPP.  
9/26/2006 Letters to Curtis Matsuda (SDOT) and Marvin Fukugawa (DPP) asking the two agencies to come to a consensus regarding the project drainage system. SDOT sends letter to Attorney General for legal advice on the drainage issue.  
10/13/2006 Request for Subdivision Deferral Extension.  
10/17/2006 DPP Deferral Extension Approval.  
10/30/2006 DPP response to 9/26/2006 drainage letter.  
2/27/2007 NGPC granted for NPDES general permit coverage for project.  
03/30/2007 Attorney General responds to SDOT concerns. Orders SDOT Hydraulics Engineering to make the call. Set up April 4<sup>th</sup>, 2007 meeting with SDOT.  
4/5/2007 Meet with SDOT for their final conditions for plan approval.  
4/25/2007 Submit plans and drainage report to CEB for final approval. CEB okays plans and drainage report, calls for tracings.  
5/1/2007 Resubmit Subdivision Map for Subdivision Application /Tentative Subdivision Approval. Attempt #3.  
5/25/2007 Received DOA subdivision application review/ acceptance letter.  
5/30/2007 Received IWS certification for two existing on-site septic tanks.  
6/4/2007 Received DOH Planning Branch subdivision application review letter.  
6/15/2007 Received SDOT Planning Branch subdivision application review letter.  
6/18/2007 Submit to SDOT for final plan approval.  
6/19/2007 Meet with SDOT Right-of-Ways branch for existing accesses and assessments for the Kam Highway connections.

Note: Text in red denotes corrections from submittal log included with the request for 4<sup>th</sup> SMA extension.

**Misc. Com. No. 1085**

**Z** Ing 12 Lot AG-2 Subdivision  
2007/SUB-122  
TMK: 5-9-005:066

**Bow Engineering & Development, Inc.**

1953 S. Beretania Street, PH-A

Honolulu, Hawaii 96826

Telephone (808) 941-8853

Fax: (808) 945-9299

E-mail: [bbow@bowengineering.com](mailto:bbow@bowengineering.com)

June 13, 2006

Mr. Jeff Lee

Department of Planning & Permitting, Subdivision Branch

City & County of Honolulu

650 South King Street, 8<sup>th</sup> Floor

Honolulu, Hawaii 96813

Subject: Preliminary Subdivision Application for  
Edward Ing, 12 Ag-2 Lot Subdivision  
59-426 Kamehameha Highway  
TMK: 5-9-005: 066  
File Number 2002/SUB-266

Dear Mr. Lee:

Attached for your use are twenty (20) copies of the Preliminary Subdivision Map and check in the amount of \$900.00 for the processing of the Preliminary Subdivision Application of the 12 Ag-2 Lot Subdivision.

The following changes were made to the Preliminary Subdivision Map from the previous subdivision application:

1. Limits of the Rockfall Zone.
2. Limits of the Suspected Landslip Areas.
3. Revised Lot D from City Roadway to Private Roadway.
4. Added the State Highway 50' Road Widening Setback.

In addition to the changes to the Map, the following conditions for the subdivision have been completed:

1. Agricultural Feasibility Analysis
2. Geologic Hazard Report
3. Declaration of Restrictive Covenants addressing the agricultural feasibility, rockfall and landslip issues.

Please call me if you have any questions.

Very truly yours,



William H.Q. Bow, P.E.

President

Cc: Mr. Edward Ing

**BOW ENGINEERING & DEVELOPMENT, INC.**

1953 SOUTH BERETANIA STREET, PH-A  
HONOLULU, HAWAII 96826  
PH: (808) 941-8853 / FAX: (808) 945-9299

AMERICAN SAVINGS BANK  
HONOLULU, HAWAII 96804-2300  
59-7076-3213

CHECK DATE June 13, 2006

PAY

Nine Hundred and 00/100 Dollars

AMOUNT \$900.00

TO

City and County of Honolulu  
650 S. King Street, 8th Floor  
Honolulu HI 96813

WILLIAM H.Q. BOW



⑈005305⑈ ⑆321370765⑆ 04500⑈92356⑈

BOW ENGINEERING &amp; DEVELOPMENT, INC.

5305

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
03027.00 Ing	6/13/06	0000271	900.00			900.00
City and County of Honolulu Corporate 1		Totals	900.00			900.00

*Mr. Edward Ing*

3138 Paty Drive  
Honolulu, Hawaii 96822  
(808) 988-2307

**FILE COPY**

November 22, 2005

Mr. Jeff Lee  
Department of Planning and Permitting, Subdivision Branch  
City and County of Honolulu  
650 South King Street, 8<sup>th</sup> Floor  
Honolulu, Hawaii 96813

Subject: Preliminary Subdivision Application for  
Edward Ing, 12 Ag-2 Lot Subdivision  
59-426 Kamehameha Highway  
TMK: 5-9-005: 066  
File Number 2002/SUB-266

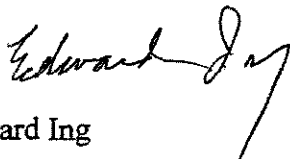
Dear Mr. Lee:

I received a Deferral Letter from the Director of Planning and Permitting dated November 3, 2005. Please change the following information regarding the application:

1. Mr. Kenton Lum is no longer the agent for the subdivision. Mr. William Bow, President of Bow Engineering and Development, Inc., is now the agent of record for the subdivision application.
2. The surveyor of record is Wesley T. Tengan Land Surveyor

Please call me if you have any questions.

Very truly yours,



Edward Ing  
Owner

Cc: Bow Engineering and Development, Inc.

Preliminary  
Subdivision  
Map

Consolidation and Subdivision of Lot  
M-1 As Shown on Map 34 And Lot  
M-3-C As Shown on Map 125 Into  
Lots A, B, C, D, E, F, G, H, J, K, L,  
M, N and M-3-C-A

Available at the City Clerk's Office

6467-01  
June 14, 2006

Mr. Henry Eng, FAICP, Director  
Department of Planning and Permitting  
City and County of Honolulu  
650 South King Street  
Honolulu, Hawaii 96813

Subject: Request for Third Extension of Time  
Sunset Beach Agricultural Subdivision  
Special Management Area Use Permit  
Reference No. 2001/SMA-66

DRAFT OF LETTER  
FOR 3RD SMA USE  
PERMIT EXTENSION.  
EMAILED FROM  
EARL MATSUKAWA  
WILSON OKAMOTO CORP.

Dear Mr. Eng:

Pursuant to your meeting with Mr. Edward Ing on June 9, 2006, we are requesting an additional one-year time extension for obtaining building and grading permits required by condition "C" of Resolution 02-211, CD1, which approved the Special Management Area Use Permit for the subject project. Condition "C" required that the project receive a building/grading permit within two years of the date of the permit, which was approved on August 7, 2002.

By letter dated August 4, 2004, we previously requested an initial one-year time extension. Subsequently, by the attached copy of a letter dated October 18, 2004 from DPP (Attachment "A"), we were granted a time extension to August 4, 2005.

Subsequently, by the attached copy of a letter dated October 6, 2005 from the Office of the City Clerk (Attachment "B"), we were informed that the City Council had granted an additional time extension for the project to August 7, 2006, pursuant to the accompanying copy of Resolution 05-293.

This request for a third time extension is necessary for Mr. Ing to continue pursuing resolution of issues with various agencies toward obtaining permits and approvals for the project. During the past year, Mr. Ing has demonstrated good cause towards resolving these issues. A chronology of these efforts is documented in Attachment "C", prepared by Mr. Ing's civil engineer. We are hopeful that the project's grading and building permits can be obtained within one year.

6467-01  
Letter to Mr. Henry Eng  
Page 2  
June 14, 2006

Inasmuch as this third extension of the deadline for obtaining the grading and building permits requires City Council approval, we respectfully request that the Director's report and recommendation for the time extension be submitted to the City Council for consideration as soon as possible.

Should you have any questions, please call me at 946-2277.

Sincerely,

Earl Matsukawa, AICP  
Project Manager

cc: Mr. Edward Ing

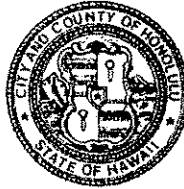
Attachments

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 523-4414 • FAX: (808) 527-6743  
DEPT. WEB SITE: [www.honolulu.gov](http://www.honolulu.gov) • CITY WEB SITE: [www.honolulu.gov](http://www.honolulu.gov)

*DM*  
6467-01

JEREMY HARRIS  
MAYOR



October 18, 2004

ERIC G. CRISPIN, AIA  
DIRECTOR

BARBARA KIM STANTON  
DEPUTY DIRECTOR

2004/ELOG-1810(jl)  
2001/SMA-66

Dean Minakami, AICP  
Wilson Okamoto Corporation  
1907 South Beretania Street, Suite 400  
Honolulu, Hawaii 96826

RECEIVED  
OCT 19 2004

WILSON OKAMOTO CORPORATION

Dear Mr. Minakami:

Special Management Area Use Permit  
File No. 2001/SMA-66  
Sunset Beach Agricultural Subdivision  
59-426 Kamehameha Highway - Pupukea  
Tax Map Key 5-9-5: 66

Your request dated August 4, 2004, for a time extension to comply with Condition C of Resolution 02-211, CD1 for the above Special Management Area Use Permit has been APPROVED.

According to your chronology of submittals, your client appears to be making a good faith effort to obtain the required grading/building permits. You also state that the required permits will be obtained within the one-year extension. Therefore, the deadline to obtain the permits will be August 7, 2005.

Should you have any questions, please contact Jeff Lee of our staff at 527-6274.

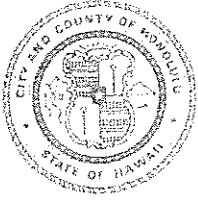
Sincerely yours,

A handwritten signature in black ink, appearing to read "Eric G. Crispin", is written over a horizontal line.

ERIC G. CRISPIN, AIA  
Director of Planning  
and Permitting

EGC:cs  
0N317808





6671-01  
6467-012

**OFFICE OF THE CITY CLERK**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813 / TELEPHONE 523-4354

*DWA*

DENISE C. DE COSTA  
City Clerk

October 6, 2005

RECEIVED  
OCT 6 2005  
WILSON OKAMOTO CORPORATION

Wilson Okamoto Corporation  
1907 South Beretania Street, Suite 400  
Honolulu, Hawaii 96826

Dear Sir/Madam:

This is to inform you that Resolution 05-293, approving an extension of time to obtain building and grading permits for the Sunset Beach Agricultural Subdivision under the special management area use permit granted by Resolution No. 02-211, CD1, was adopted by the Council of the City and County of Honolulu at its meeting on Wednesday, September 28, 2005.

Sincerely,

A handwritten signature in cursive script, reading "Denise C. De Costa".

DENISE C. DE COSTA  
City Clerk

jt

Attachment



## RESOLUTION

APPROVING AN EXTENSION OF TIME TO OBTAIN BUILDING AND GRADING PERMITS FOR THE SUNSET BEACH AGRICULTURAL SUBDIVISION UNDER THE SPECIAL MANAGEMENT AREA USE PERMIT GRANTED BY RESOLUTION NO. 02-211, CD1.

WHEREAS, by Resolution 02-211, CD1, adopted on August 7, 2002, the Council granted a Special Management Area Use Permit (SMP) for the Sunset Beach Agricultural Subdivision, located at 59-426 Kamehameha Highway, Sunset Beach, Oahu (File No. 2001/SMA-66); and

WHEREAS, Condition C of the SMP required that the project obtain a building/grading permit within two years of the date of the permit. Condition C further provided that the Department of Planning and Permitting (DPP) may extend the period if the applicants demonstrate good cause, but the period shall not be extended beyond one year from the initial deadline without the approval of the Council, which may grant or deny the approval in its complete discretion; and

WHEREAS, pursuant to Condition C, the DPP granted a one-year extension of the deadline, to August 7, 2005; and

WHEREAS, the applicants, Edward and Sylvia Ing, have requested an additional extension to obtain the building and grading permits so that the project can be completed as originally proposed; and

WHEREAS, the Council finds that good cause has been demonstrated for the extension; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the deadline to obtain building and grading permits under Condition C of the SMP granted by Resolution No. 02-211, CD1, is hereby extended to August 7, 2006; and

BE IT FURTHER RESOLVED that any further extensions of this deadline shall require the approval of the Council pursuant to the procedures set forth in Condition C of the said SMP; and



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 05-293

**RESOLUTION**

BE IT FINALLY RESOLVED that the Clerk transmit copies of this resolution to the Director of Planning and Permitting, Wilson Okamoto Corporation, 1907 South Beretania Street, Suite 400, Honolulu, Hawaii 96826, Bow Engineering and Development, Inc., 1953 South Beretania Street, PH-A, Honolulu, Hawaii 96826, and Edward and Sylvia Ing, 3138 Paty Drive, Honolulu, Hawaii 96822.

INTRODUCED BY:

*[Handwritten signature]*

DATE OF INTRODUCTION:

**AUG 24 2005**

Honolulu, Hawaii

Councilmembers

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

RESOLUTION 05-293

Introduced: 8/24/05 By: DONOVAN DELA CRUZ (BY REQUEST)

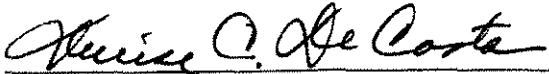
Committee: ZONING

Title: RESOLUTION APPROVING AN EXTENSION OF TIME TO OBTAIN BUILDING AND GRADING PERMITS FOR THE SUNSET BEACH AGRICULTURAL SUBDIVISION UNDER THE SPECIAL MANAGEMENT AREA USE PERMIT GRANTED BY RESOLUTION NO. 02-211, CD1.

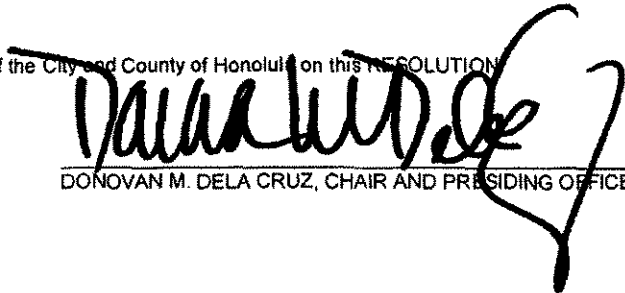
Links: RES. 05-293  
D-848

Zoning	8/30/05	CR-388 – Resolution reported out of committee for adoption.							
Council	9/28/05	Resolution and CR-388 adopted.							
		Apo .....	Y	Cachola .....	Y	Dela Cruz ...	Y	Djou .....	Y
		Kobayashi .....	Y	Marshall .....	Y	Okino .....	Y	Tam .....	Y

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION



DENISE C. DE COSTA, CITY CLERK



DONOVAN M. DELA CRUZ, CHAIR AND PRESIDING OFFICER



**Ing 12-Lot Ag Subdivision**  
**Submittal Log (As of 8-12-05)**

8/12/2005	7 <sup>th</sup> submittal of drawings, restrictive covenant, & revised supplemental soil conformance letter to DPP Civil Engineering Branch
8/23/2005	Re-submitted subdivision application to Subdivision Branch – Mr. Jeff Lee
11/2/2005	7 <sup>th</sup> submittal of drawings to DOT
11/2/2005	2 <sup>nd</sup> submittal of drawings to BWS for Onsite Water System (Phase II)
11/3/2005	8 <sup>th</sup> submittal to DPP Civil Engineering Branch.
11/3/2005	DPP deferral letter arrives for reapplication for subdivision.
11/17/2005	Drainage report supplementing 7 <sup>th</sup> submittal to DOT.
12/6/2005	Received DOT comments regarding drainage concerns about the design.
12/13/2005	Responded to DPP deferral letter for subdivision reapplication.
12/15/2005	Received comments for the Declaration of Restrictive Covenants and Conditions
1/11/2006	Met with DOT (Kapolei Office) to discuss drainage with Curtis Matsuda
1/19/2006	Deferral removed for comment #2 (TRB comment) in subdivision deferral letter.
2/28/2006	3 <sup>rd</sup> Submittal of drawings to BWS for Onsite Water System (Phase II)
2/28/2006	8 <sup>th</sup> submittal of drawings to DOT
2/28/2006	9 <sup>th</sup> Submittal of drawings to DPP Civil Engineering Branch
3/31/2006	9 <sup>th</sup> Submittal of drawings to DOT
3/31/2006	Submit Notarized Declaration of Restrictive Covenants (Private Street) for the Ing 12 Lot AG-2 Subdivision.
3/31/2006	10 <sup>th</sup> Submittal of drawings to DPP Civil Engineering Branch/Submittal of notarized and recorded DRCC for Rock Fall Hazards.
4/19/2006	Received email containing the latest comments from DOT.
4/28/2006	Met with Mel Takakura & Marvin Fukugawa about drainage issue with DOT
5/9/2006	Met with CEB, DOT, DLNR over drainage structure design for property.
6/9/2006	Met with Henry Eng (DPP Director) to try to resolve drainage issue for Ing subdivision.

LINDA LINGLE  
GOVERNOR OF HAWAII



PETER T. YOUNG  
CHAIRPERSON

MEREDITH J. CHING  
JAMES A. FRAZIER  
NEAL S. FUJIMURA  
CHIYOME L. FUKINO, M.D.  
LAWRENCE H. MIKE, M.D., J.D.  
STEPHANIE A. WHALEN

DEAN A. NAKANO  
ACTING DEPUTY DIRECTOR

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
P.O. BOX 621  
HONOLULU, HAWAII 96809

June 20, 2006

Mr. Michael McNulty, P.E.  
McNulty Civil Engineering  
67-335 Kaiea Place  
Waialua, HI 96791

Dear Mr. McNulty:

Thank you for your May 17, 2006 letter requesting whether a stream channel alteration permit (SCAP) is required for the Edward H. Ing Project at Pakulena Stream, TMK: (1) 5-9-005: 066, Sunset Beach, Oahu.

The Commission on Water Resource Management (Commission), Stream Protection and Management Branch, has the responsibility to protect stream channels from alteration whenever practicable to provide for fishery, wildlife, recreational, aesthetic, scenic, and other beneficial instream uses in the State of Hawaii under the authorization of the State Water Code (Code), Chapter 174C, and Hawaii Revised Statutes, Chapter 13-169 (Protection of Instream Uses of Water).

Pursuant to the Code, §174C-71(3)(A), the Commission "shall require persons to obtain a permit from the Commission prior to undertaking a stream channel alteration." The term "stream channel" is defined in the Code, §174C-3, as a "watercourse with a definite bed and banks which periodically or continuously contains flowing water."

Specifically for this project, Pakulena Stream is not a perennial stream and only flows when there is substantial rainfall. It does not have a definite bed and banks. More importantly, it does not support instream uses as defined in the Code. Therefore it is not considered to be a "stream channel" that would be regulated under the provisions of the Code.

Please be advised that the project may require other agency approvals regarding wetlands, water quality, grading, stockpiling, and floodways. This letter should not be used for other regulatory jurisdictions or used to imply compliance with other federal, state, or county rules.

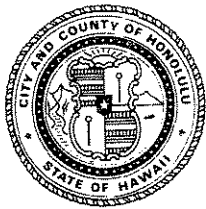
If you have any questions, please contact Ed Sakoda at 587-0234.

Sincerely,

A handwritten signature in black ink, appearing to read "Dean A. Nakano".

DEAN A. NAKANO  
Acting Deputy Director

cc: Curtis Matsuda, State Dept. of Transportation - Highways Division



05-21 11-11  
BLU  
DAN  
Dan

OFFICE OF THE CITY CLERK  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077 / TELEPHONE 523-4352

DENISE C. DE COSTA  
CITY CLERK

July 20, 2006

Bow Engineering and Development, Inc.  
1953 South Beretania Street, PH-A  
Honolulu, Hawaii 96826

Dear Sirs:

This is to inform you that Resolution 06-239, CD1, approving an extension of time to obtain building and grading permits for the Sunset Beach Agricultural Subdivision under the Special Management Area Use Permit granted by Resolution 02-211, CD1, was adopted by the Council of the City and County of Honolulu at its meeting on Wednesday, July 19, 2006.

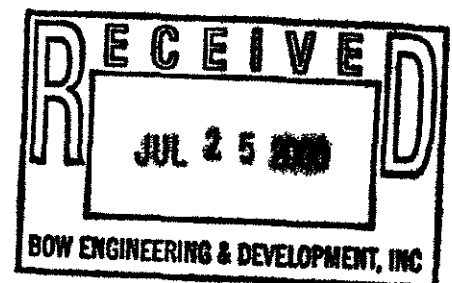
Sincerely,

A handwritten signature in cursive script, reading "Denise C. De Costa".

DENISE C. DE COSTA  
City Clerk

hc

Attachment





## **RESOLUTION**

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APPROVING AN EXTENSION OF TIME TO OBTAIN BUILDING AND GRADING PERMITS FOR THE SUNSET BEACH AGRICULTURAL SUBDIVISION UNDER THE SPECIAL MANAGEMENT AREA USE PERMIT GRANTED BY RESOLUTION NO. 02-211, CD1.

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WHEREAS, Condition C of the SMP required that the project obtain a building/grading permit within two years of the date of the permit. Condition C further provided that the Department of Planning and Permitting (DPP) may extend the period if the applicants demonstrate good cause, but the period shall not be extended beyond one year from the initial deadline without the approval of the Council, which may grant or deny the approval in its complete discretion; and

WHEREAS, pursuant to Condition C, the DPP granted a one-year extension of the deadline, to August 7, 2005; and

WHEREAS, the applicants, Edward and Sylvia Ing, requested an additional extension to obtain the building and grading permits so that the project can be completed as originally proposed; and

WHEREAS, pursuant to Condition C, the City Council granted an additional one-year extension of the deadline, to August 7, 2006, by Resolution No. 05-293; and

WHEREAS, the applicants, Edward and Sylvia Ing, have requested an additional one-year extension to obtain the building and grading permits so that the project can be completed as originally proposed; and

WHEREAS, the Council finds that good cause has been demonstrated for the extension, now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the deadline to obtain building and grading permits under Condition C of the SMP granted by Resolution No. 02-211, CD1, is hereby extended to August 7, 2007; and





**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 06-239, CD1

## RESOLUTION

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BE IT FURTHER RESOLVED that any further extensions of this deadline shall require the approval of the Council pursuant to the procedures set forth in Condition C of the said SMP; and

BE IT FINALLY RESOLVED that the Clerk transmit copies of this Resolution to the Director of Planning and Permitting, Wilson Okamoto Corporation, 1907 South Beretania Street, Suite 400, Honolulu, Hawaii 96826, Bow Engineering and Development, Inc., 1953 South Beretania Street, PH-A, Honolulu, Hawaii 96826, and Edward and Sylvia Ing, 3138 Paty Drive, Honolulu, Hawaii 96822.

INTRODUCED BY:

Donovan Dela Cruz (BR)

\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE OF INTRODUCTION:

June 27, 2006  
Honolulu, Hawaii

\_\_\_\_\_  
Councilmembers

(OCS/063006/ct)

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

RESOLUTION 06-239, CD1

Introduced: 06/27/06 By: DONOVAN DELA CRUZ (BR)

Committee: ZONING


Title: RESOLUTION APPROVING AN EXTENSION OF TIME TO OBTAIN BUILDING AND GRADING PERMITS  
FOR THE SUNSET BEACH AGRICULTURAL SUBDIVISION UNDER THE SPECIAL MANAGEMENT AREA  
USE PERMIT GRANTED BY RESOLUTION NO. 02-211, CD1.

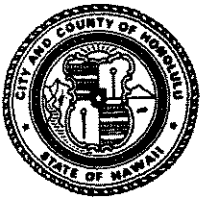
Links: [RES06-239](#)  
[RES06-239, CD1](#)  
[D-0595](#)

ZONING	07/05/06	CR-322 – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION AS AMENDED IN CD1 FORM.				
COUNCIL	07/19/06	RESOLUTION AS AMENDED (RES06-239, CD1) AND CR-322 ADOPTED.				
	APO Y	CACHOLA Y	DELA CRUZ Y	DJOU Y	GARCIA Y	
	KOBAYASHI Y	MARSHALL Y	OKINO Y	TAM Y		

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.

  
DENISE C. DE COSTA, CITY CLERK

  
DONOVAN M. DELA CRUZ, CHAIR AND PRESIDING OFFICER



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

## ZONING COMMITTEE

Charles K. Djou, Chair  
Barbara Marshall, Vice Chair  
Romy M. Cachola, Member  
Nestor R. Garcia, Member  
Ann H. Kobayashi, Member

## AGENDA

REGULAR MEETING  
COMMITTEE MEETING ROOM  
WEDNESDAY, JULY 5, 2006  
9 A.M.

### NOTICE

Persons wishing to testify on items listed on the agenda are requested to register by 9 a.m. in the interest of time management as follows:

- a. use the On-Line City Council Speaker Registration form available at <http://www.co.honolulu.hi.us/council/spkzone.htm>;
- b. send a fax to 527-5733 indicating your desire to speak, along with your name, phone number and subject matter;
- c. fill out the registration form in person; or
- d. call 527-5589.

Written testimonies may also be faxed to 527-5733 or you may e-mail your testimony by going to <http://www4.honolulu.gov/docushare/dsweb/View/Collection-670> for the e-mail contact; however, you are requested to register to speak if you wish to provide oral testimony. If submitted, written testimonies, including the testifier's address, e-mail address and phone number, may be posted by the City Clerk and available to the public on the City's DocuShare Website.

Each speaker is limited to a **one-minute** presentation.

Persons who have not registered to speak should raise their hands at the time the item is announced and they will be given an opportunity to speak following oral testimonies of the registered speakers.

Any disabled person requiring special assistance should call 527-5589 for details at least one day prior to the meeting date.

Zoning Committee Agenda  
Wednesday, July 5, 2006

**FOR APPROVAL**

MINUTES OF MAY 22, 2006

**FOR ACTION**

- Approved  
7/5/06*
1. **RESOLUTION 06-239 - SUNSET BEACH AGRICULTURAL SUBDIVISION.**  
Approving an extension of time to obtain building and grading permits for the Sunset Beach Agricultural Subdivision under the Special Management Area Use Permit granted by Resolution No. 02-211, CD1. (Transmitted by Communication D-0595.) (Deadline: 08/07/06.)
  2. **RESOLUTION 06-183 - SMP FOR NORTH SHORE VILLAS (2006/SMA-15).**  
Granting a Special Management Area Use Permit for the construction of new single-family dwellings (North Shore Villas) – Applicant: Robert A. Paranhos Lopes. (Transmitted by Communication D-0466.) (Deadline: 09/08/06)
  3. **RESOLUTION 06-200 - OFF STREET PARKING REQUIREMENTS FOR THE WAHIAWA COURT FACILITY AND CIVIC CENTER.** Urging the City Administration to take certain actions to satisfy the off-street parking requirements for the Wahiawa Court Facility and Civic Center.
  4. **BILL 51 (2006) – WAIPIO ZONE CHANGE (2005/Z-6).** Rezoning land situated at Waipio (Mililani), Oahu, Hawaii (Amending portion of Zoning Map No. 9), Ordinance No. 86-112 – Applicant: Michael Hamm. (Transmitted by Communication D-0426.) (Bill 51 (2006) passed first reading 05/17/06.) (Deadline: 07/25/06)

**BILL 51 (2006), PROPOSED CD1** - The CD1 makes the following amendments:  
(OCS/061606/03:35/CT)

- A. The CD1 corrects the Zoning Map number in the title (10 instead of 9).
- B. The CD1 amends Section 1 to replace an erroneous reference to R-10 Residential District with a reference to R-20 Residential District as the new zoning.
- C. The CD1 makes technical and nonsubstantive amendments.

Zoning Committee Agenda  
Wednesday, July 5, 2006

Related Communication:

D-0468 from Department of Planning and Permitting, attaching comments from the State Department of Land and Natural Resources, State Historic Preservation Division.

5. **RESOLUTION 06-230 - PLANTATION TOWN APARTMENTS AFFORDABLE HOUSING PROJECT (2006/201G-1).** Authorizing exemptions from certain requirements relating to the Plantation Town Apartments Affordable Housing Project at Waipio and Waikele, Ewa (Waipahu), Oahu, Hawaii, Tax Map Key 9-4-17: (Portion of) 58. (Transmitted by Communication D-0585.) (Deadline: 08/03/06.)

RESOLUTION 06-230, PROPOSED CD1 - The CD1 makes the following changes: (OCS/062606/03:36/HM)

- A. The CD1 amends the fourth WHEREAS paragraph to insert a reference to the successor statute to HRS Section 201G-118, which is HRS Section 201H-H, enacted by Act 180, SLH 2006.
- B. The CD1 amends the fifth WHEREAS paragraph to reflect the proper dates of the preliminary plans.
- C. Pursuant to discussions between OCS staff and the staff of DPP and BWS, Sections 10, 11, and 12 of the as-introduced Resolution are deleted and replaced by the following:

A new Section 10 allowing deferral of payment of wastewater system facility charges until connection to the city sewer system; and

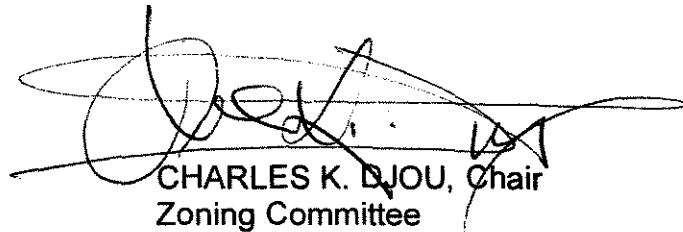
A new Section 11 allowing deferral of payment of water system facilities charges until connection to the water system.

Subsequent sections are renumbered accordingly.

- D. The CD1 amends the Development Agreement attached as Exhibit A (redesignated as Exhibit A-1) to the Resolution as follows:
  - 1. Section 3.F is amended to reflect the proper dates of the preliminary plans.
  - 2. Section 4.A is amended to include a reference to the "successor statute" to HRS Chapter 201G.

Zoning Committee Agenda  
Wednesday, July 5, 2006

3. Section 5.A.(2) is amended to include a reference to "any successor statutes and regulations" to HRS Section 201G-127 and HAR Sections 15-174-121 to 15-174-130.
- E. The CD1 makes miscellaneous technical and nonsubstantive amendments.
6. **RESOLUTION 06-244 - MOKUOLA VISTA AFFORDABLE MULTI-FAMILY DWELLING DEVELOPMENT.** Authorizing exemptions from certain requirements relating to the Mokuola Vista Affordable Multi-Family Dwelling Development at Waipahu, Oahu, Hawaii, Tax Map Keys 9-4-17:53 and 54. (Transmitted by Communication M-1077.) (Deadline: 08/11/06.)

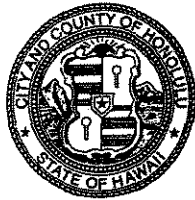


CHARLES K. DJOU, Chair  
Zoning Committee

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813  
TELEPHONE: (808) 523-4432 • FAX: (808) 527-6743  
DEPT. INTERNET: [www.honolulu.gov](http://www.honolulu.gov) • INTERNET: [www.honolulu.gov](http://www.honolulu.gov)

MUFI HANNEMANN  
MAYOR

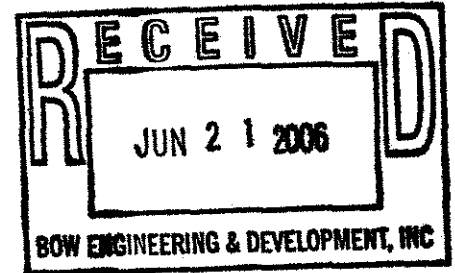


HENRY ENG, FAICP  
DIRECTOR

DAVID K. TANOUE  
DEPUTY DIRECTOR

June 20, 2006

The Honorable Donovan M. Dela Cruz, Chair  
and Members of the City Council  
Honolulu City Council  
530 South King Street  
Honolulu, Hawaii 96813



Dear Chair Dela Cruz and Councilmembers:

Re: Report and Recommendation  
Proposed Sunset Beach Agricultural Subdivision  
Special Management Area Use Permit (SMP)  
Extension of Time (Resolution No. 02-211, CD1)  
Tax Map Key 5-9-07: 66

This is in response to the applicants' request (attached) for a third time extension on the proposed Sunset Beach Agricultural Subdivision SMP. Our response is being submitted in compliance with Condition C of the above resolution, which requires a report and recommendation prior to a City Council-approved extension.

A. BACKGROUND

1. Approved Permit

A Special Management Area Use Permit (SMP) was approved by the City Council on August 7, 2002 via the adoption of Resolution No. 02-211, CD1 (Attachment 2). The SMP approved the applicants' proposal to subdivide a 26.68-acre parcel of land located at Sunset Beach, Oahu for the development of an agricultural subdivision. The parcel will be subdivided into 13 lots, including 12, two-acre agricultural lots and one (1) lot for an access road. Improvements to the project site include the construction of an access road and the provision of water and drainage systems. The lots will be sold in fee and future improvements will be made at the discretion of the subsequent landowners.

2. Status of Compliance with Conditions of Approval

The SMP was approved subject to four (4) conditions, two (2) of which are standard conditions requiring compliance with other governmental regulations and conformity with the project plans reviewed during the permit process. Two (2) conditions were specific to the proposed development:

- a. Condition B requires that the Oahu Island Burial Council accept a burial treatment plan for Sites 50-80-01-5963 and 50-80-01-5964. This requirement was fulfilled on September 4, 2002 (Attachment 3).
- b. Condition C requires that the applicant obtain building/grading permits within two years of August 7, 2002, or request an extension of time. The resolution included a provision allowing the Director of Planning and Permitting to grant a one-year time extension from the initial deadline. An extension beyond this period requires the approval of City Council.

First time extension: In their August 4, 2004, request for a first time extension (Attachment 4), the applicants provided a chronology of events showing good faith effort toward completing the project and indicated that the required grading and building permits could be obtained within a one-year period. The Department of Planning and Permitting granted the applicants a one-year extension to August 7, 2005.

Second time extension: This one-year period was not sufficient to obtain the necessary building and grading permits. Accordingly, the applicants requested an additional one-year extension to August 7, 2006, which required the approval of the City Council. The City Council approved the applicants' request for a second time-extension to August 7, 2006 via Resolution No. 05-293 (Attachment 5).

Third time extension: An additional one-year time extension to August 7, 2007 is being requested by the applicant to resolve on-going drainage issues between the City and State agencies, which requires the approval of the City Council.

#### B. CURRENT REQUEST

According to the letter dated June 14, 2006 from Wilson Okamoto Corporation, the applicants indicate that the request for a third time extension is necessary to resolve on-going drainage issues between the City and State agencies. It is estimated that one (1) year is sufficient time to obtain the necessary grading and building permits. The June 14, 2006, letter confirms the applicants' desire to proceed with the development of the project site as originally proposed and approved by the City Council under Resolution No. 02-211, CD1.



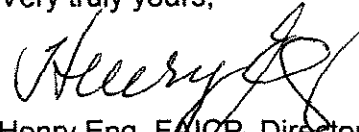
The Honorable Donovan M. Dela Cruz, Chair  
and Members of the City Council  
June 20, 2006  
Page 3

C. RECOMMENDATION

With the understanding that no major changes to the approved project will occur, that all conditions of the approved permit will be met, and that the applicants will obtain all other required land use permits, it is the Department of the Planning and Permitting's recommendation that the requested SMP extension be approved to August 7, 2007. A draft resolution is attached.

If you should have any questions or wish additional information on this matter, please do not hesitate to contact me or Ann Matsumura of my staff at 523-4077.

Very truly yours,



Henry Eng, FAICP, Director  
Department of Planning and Permitting

HE:pl  
Encls.

cc: Wilson Okamoto Corporation  
Bow Engineering & Development, Inc.  
Sylvia and Ed Ing

APPROVED:

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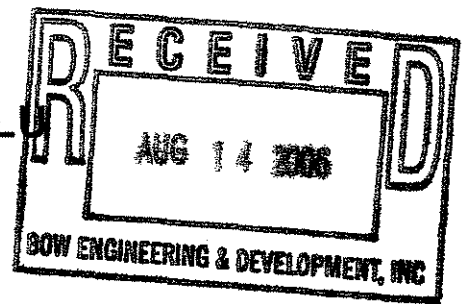
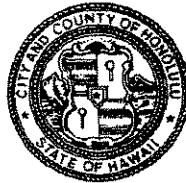
Wayne M. Hashiro, P.E.  
Managing Director

doc459136

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET \* HONOLULU, HAWAII 96813  
Phone: (808) 523-4414 \* Fax: (808) 527-6743

MUFI HANNEMANN  
MAYOR



HENRY ENG, FAICP  
DIRECTOR  
DAVID K. TANOUE  
DEPUTY DIRECTOR

2006/SUB-176

SUBDIVISION		
File Number	:	2006/SUB-176
Project	:	SUB / SUB Pupukey--Kamehameha Hwy. / TMK: 5-9-005: 066
Location	:	59-426 Kam Hwy
Tax Map Key	:	5-9-005:066
Owner	:	Ing, Edward, et al
Surveyor	:	Bow Engineering & Development, Inc., Darin Aihara
Agent	:	Bow Engineering & Development, Inc., Darin Aihara

**Description of the Proposal:** Consolidation and resubdivision of Lot M-1 as shown on Map 34 and Lot M-3-C as shown on Map 125 of Land Court Application 1095 into 13 lots: Lots A to H, J to N and M-3-C-A with areas ranging from 2.001 acres to 2.309 acres, together with a 44-foot wide right-of-way (Lot D).

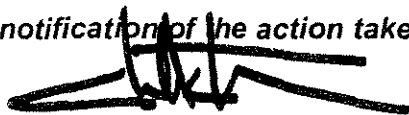
Action on the proposal was **DEFERRED** pending:

1. Submission by the applicant and approval by our Civil Engineering Branch of a drainage report, under the provisions of Section 2-201(d) of the Subdivision Rules and Regulations. Should you have any questions regarding this requirement, please contact Mr. Melvin Takakura of our Civil Engineering Branch at 523-4732.
2. Receipt of comments and recommendations from the State Department of Health, under the provisions of Section 1-108 of the Subdivision Rules and Regulations. Should you have any questions regarding the State Department of Health's review, please contact Mr. Harold Yee at 586-4294.
3. Receipt of comments and recommendations from the State of Hawaii Department of Transportation as to whether there are any objections or requirements to the proposed subdivision, which fronts on a State-owned right-of-way, under the provisions of Section 4-402 of the Subdivision Rules and Regulations. Should you have any questions regarding the Department of Transportation's review, please contact the Highway Planning Systems at 587-1842.

4. Receipt of comments and recommendations from the Land Use Approvals Branch (LUAB) regarding any Special Management Area requirements. If you have any questions regarding this requirement, please contact the LUAB at 523-4299.

Section 2-203 (c) of the Subdivision Rules and Regulations states that the deferral shall be for a period of 90 days from the date of this action, unless a written request for an extension of the deferral is submitted to the Director of Planning and Permitting prior to the expiration of the 90-day period. The subdivision application will automatically expire and become null and void if the 90-day period passes without a request for an extension of the deferral. Any further action will require the submission of a new application including 20 prints of the map, a new filing fee and necessary documents.

*This copy is notification of the action taken and the date it was signed.*



SIGNATURE

*for* DIRECTOR

TITLE

August 4, 2006

DATE

This action does not constitute approval of any other required permits, such as building or sign permits. Should you have any questions, please call Mr. Jeff Lee at 523-4255 or Mr. Lester Lai at 523-4252.



September 26, 2006

**FILE COPY**

Mr. Marvin Fukugawa  
City and County of Honolulu  
Department of Planning and Permitting  
Civil Engineering Branch  
650 South King Street  
Honolulu, Hawaii 96813

Subject: Edward Ing, 12 Ag-2 Lot Subdivision  
59-426 Kamehameha Highway  
TMK: 5-9-005: 066

Dear Mr. Fukugawa:

Bow Engineering is writing this letter on behalf of Mr. Edward Ing to ask for your assistance in resolving the ongoing drainage matter between the City and State. First we would like to thank you for meeting in April 2006 to discuss the drainage issues related to this 12-lot agricultural subdivision. As you may remember, the issue is that the City is requiring a drainage system within the subdivision to convey the 100-year design storm from Pakulena Stream. This would potentially direct 2,100 cfs of storm runoff toward the double barrel 3'x6' box culvert at Kamehameha Highway, if the eastern parcels were channelized.

Pakulena Stream does not flow as shown on the USGS Map (See Figure No. 1) and has not flowed in this course for at least 30-years; based on the aerial photographs of the area. (See attached CD for Aerial Photographs) The lands east of the proposed subdivision have been reshaped through farming and grazing activities. Presently, the storm water runoff from Pakulena Stream is conveyed through a natural channel until it reaches an existing aggregate roadway. Pakulena Stream thus ends and the stormwater sheet flows over the existing aggregate roadway to Kamehameha Highway. (See Figure No. 1). The City's concern is that the eastern parcels will be required by the Department of Land and Natural Resources (DLNR) to channelize the stream to reinstate the original stream channels.

As noted in the attached letter from DLNR, the Pakulena Stream is not considered a "stream channel" and would not be regulated by DLNR. Therefore, the lands east of the proposed subdivision will not be channelized or restored to its original state. Hence, there will be no chance of the 100-year stream flow reaching the subdivision and the double barrel culvert on Kamehameha Highway.

In addition, one of the mauka lots is owned by Mr. Edward Ing, and he has agreed not to develop this property in exchange for allowing this subdivision to be approved. (See Figure No. 1)



With this new information from the DLNR and the commitment of Mr. Edward Ing, we request that the onsite, drainage system be designed to handle the 2,100 cfs storm runoff from Pakulena Stream, be removed from the conditions for subdivision approval.

Please call me if you have any questions.

Very truly yours,

William H.Q. Bow, P.E.  
President

Attachments: 1 – CD of Aerial Photographs  
Figure 1 – Site Map  
1 – DLNR Commission on Water Resource Management Letter

Cc: Mr. Edward Ing

LINDA LINGLE  
GOVERNOR OF HAWAII



PETER T. YOUNG  
CHAIRPERSON

MEREDITH J. CHING  
JAMES A. FRAZIER  
NEAL S. FUJIWARA  
CHIYOME L. FUKINO, M.D.  
LAWRENCE H. MIKE, M.D., J.D.  
STEPHANIE A. WHALEN

DEAN A. NAKANO  
ACTING DEPUTY DIRECTOR

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
P.O. BOX 621  
HONOLULU, HAWAII 96809

June 20, 2006

Mr. Michael McNulty, P.E.  
McNulty Civil Engineering  
67-335 Kaiea Place  
Waialua, HI 96791

Dear Mr. McNulty:

Thank you for your May 17, 2006 letter requesting whether a stream channel alteration permit (SCAP) is required for the Edward H. Ing Project at Pakulena Stream, TMK: (1) 5-9-005: 066, Sunset Beach, Oahu.

The Commission on Water Resource Management (Commission), Stream Protection and Management Branch, has the responsibility to protect stream channels from alteration whenever practicable to provide for fishery, wildlife, recreational, aesthetic, scenic, and other beneficial instream uses in the State of Hawaii under the authorization of the State Water Code (Code), Chapter 174C, and Hawaii Revised Statutes, Chapter 13-169 (Protection of Instream Uses of Water).

Pursuant to the Code, §174C-71(3)(A), the Commission "shall require persons to obtain a permit from the Commission prior to undertaking a stream channel alteration." The term "stream channel" is defined in the Code, §174C-3, as a "watercourse with a definite bed and banks which periodically or continuously contains flowing water."

Specifically for this project, Pakulena Stream is not a perennial stream and only flows when there is substantial rainfall. It does not have a definite bed and banks. More importantly, it does not support instream uses as defined in the Code. Therefore it is not considered to be a "stream channel" that would be regulated under the provisions of the Code.

Please be advised that the project may require other agency approvals regarding wetlands, water quality, grading, stockpiling, and floodways. This letter should not be used for other regulatory jurisdictions or used to imply compliance with other federal, state, or county rules.

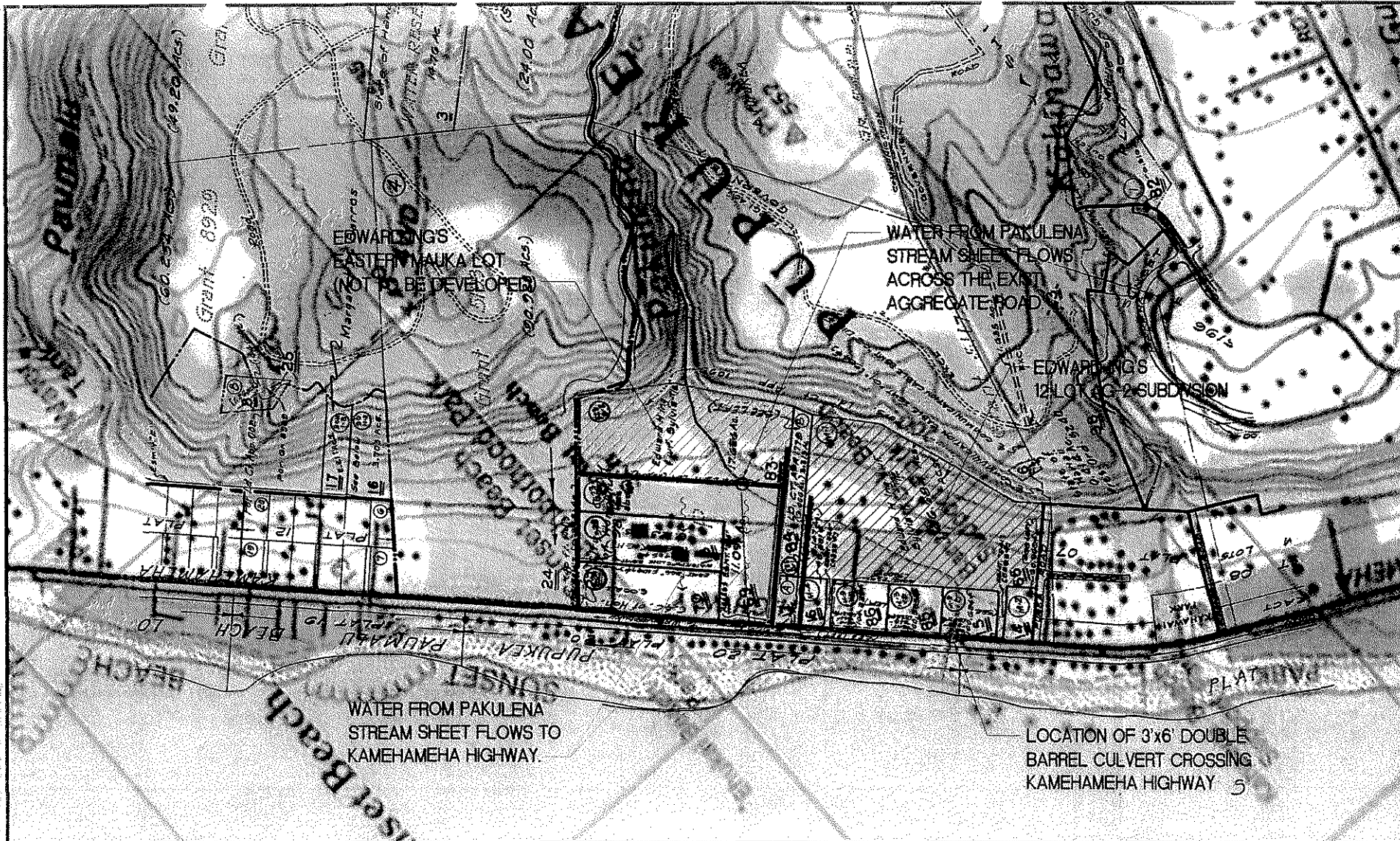
If you have any questions, please contact Ed Sakoda at 587-0234.

Sincerely,

A handwritten signature in black ink, appearing to read "Dean A. Nakano".

DEAN A. NAKANO  
Acting Deputy Director

cc: Curtis Matsuda, State Dept. of Transportation - Highways Division



DATE	DESCRIPTION

**Bow Engineering & Development, Inc.**  
**CIVIL ENGINEERS**  
 1000 KALANIANAʻOLAHU BLVD., SUITE 100  
 HONOLULU, HAWAII 96813  
 TEL: (808) 944-1111  
 FAX: (808) 944-1112  
 WWW.BOWENGINEERING.COM

**ING 12 LOT AG-2 SUBDIVISION**  
**T.M.K. 5-9-005-066**  
**FIGURE 1**

Prepared by: **MB**  
 Checked by: **MB**  
 Drawn by: **MB**  
 Approved by: **MB**  
 Scale: **AS SHOWN**  
 T.M.L.

This plan was prepared by an individual who is not a Professional Engineer or Professional Land Surveyor. It is not intended to be used as a basis for any legal action or as evidence in any court of law.



September 26, 2006  
(Revised attached map April 5, 2007)

Mr. Curtis K. Matsuda, P.E.  
State of Hawaii  
Department of Transportation  
Highways Division  
601 Kamokila Blvd, Room 636  
Kapolei, Hawaii 96707

Subject: Edward Ing, 12 Ag-2 Lot Subdivision  
59-426 Kamehameha Highway  
TMK: 5-9-005: 066

Dear Mr. Matsuda:

Bow Engineering is writing this letter on behalf of Mr. Edward Ing to ask for your assistance in resolving the ongoing drainage matter between the City and State. First we would like to thank you for meeting in April 2006 to discuss the drainage issues related to this 12-lot agricultural subdivision. As you may remember, the issue is that the City is requiring a drainage system within the subdivision to convey the 100-year design storm from Pakulena Stream. This would potentially direct 2,100 cfs of storm runoff toward the double barrel 3'x6' box culvert at Kamehameha Highway, if the eastern parcels were channelized.

Pakulena Stream does not flow as shown on the USGS Map (See Figure No. 1) and has not flowed in this course for at least 30-years; based on the aerial photographs of the area. (See attached CD for Aerial Photographs) The lands east of the proposed subdivision have been reshaped through farming and grazing activities. Presently, the storm water runoff from Pakulena Stream is conveyed through a natural channel until it reaches an existing aggregate roadway. Pakulena Stream thus ends and the stormwater sheet flows over the existing aggregate roadway to Kamehameha Highway. (See Figure No. 1). The City's concern is that the eastern parcels will be required by the Department of Land and Natural Resources (DLNR) to channelize the stream to reinstate the original stream channels.

As noted in the attached letter from DLNR, the Pakulena Stream is not considered a "stream channel" and would not be regulated by DLNR. Therefore, the lands east of the proposed subdivision will not be channelized or restored to its original state. Hence, there will be no chance of the 100-year stream flow reaching the subdivision and the double barrel culvert on Kamehameha Highway.

In addition, one of the mauka lots is owned by Mr. Edward Ing, and he has agreed not to develop this property in exchange for allowing this subdivision to be approved. (See Figure No. 1) Therefore, the stream will not be improved by channelizing the flows to the subdivision and subsequently to the State double barrel culvert.





With this new information from the DLNR and the commitment of Mr. Edward Ing we request that the State approve the subdivision as designed with the onsite drainage system design to handle the 2,100 cfs storm runoff. We need to design the system in this way to satisfy the City and be able to obtain the Final Subdivision approval and Grading Permit. We are having difficulty with the City and we are hoping to find an understanding and logical person within the State to assist Mr. Ing with this drainage issue. We request your approval of the subdivision based on the new information provided.

Please call me if you have any questions.

Very truly yours,

William H.Q. Bow, P.E.  
President

Attachments: 1 – CD of Aerial Photographs  
1 – Copy of Figure 1 – Site Map  
1 – DLNR Commission on Water Resource Management Letter

Cc: Mr. Edward Ing



**Bow Engineering & Development, Inc.**  
1953 S. Beretania Street, PH-A  
Honolulu, Hawaii 96826

Telephone (808) 941-8853  
Fax: (808) 945-9299



October 13, 2006

File: 03-27

Mr. Henry Eng, FAICP, Director  
**Department of Planning and Permitting**  
City and County of Honolulu  
650 South King Street  
Honolulu, Hawaii 96813

**FILE COPY**

**Attn: Mr. Jeff Lee**

**RE: Ing 12 Lot AG-2 Agricultural Subdivision**  
Request for Extension of Time for Subdivision Approval  
Subdivision Log No.: 2005/CP-176

Dear Mr. Eng:

Bow Engineering is requesting a one year time extension to the deferral period specified in the DPP subdivision deferral letter written on August 4, 2006. The letter specified four (4) conditions required before approval of the subdivision will be granted. The following will detail the current status of each condition:

- Conditions 1 & 3 – Currently, there are negotiations between the State Dept. of Transportation and DPP Civil Engineering Branch to decide the handling of the onsite drainage system. Consensus between the two branches needs to be accomplished for the onsite drainage system before conditions 1 & 3 can be met. We will design the onsite drainage system to meet the outcome of the agreement between the two agencies.
- Condition 2 – The owner, Mr. Edward Ing, is finalizing the constructions of the two septic systems approved by the State Dept. of Health. A final inspection will be performed and a final inspection letter will be submitted to the state for project closure.
- Condition 4 – The expiration of the Special Management Area Use Permit (Reference No. 2001/SMA) extended to August 7, 2007 to obtain approval for grading permit for the subject project under Resolution 06-239, CD 1. The grading permit approval and Land Use Approvals Branch approval cannot be achieved until conditions 1 & 3 have been met.



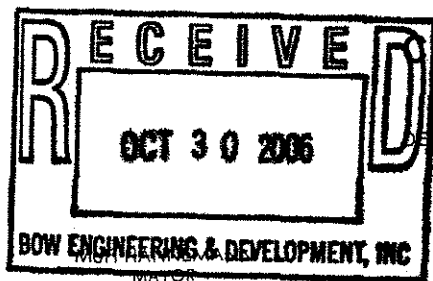
We feel that we have showed a good faith effort to resolve the pending issues and therefore request this one year time extension.

Please call me if you have any questions, Ph. No. 941-8853.

Very truly yours,

William H.Q. Bow, P.E.  
President

Cc: Mr. Edward Ing

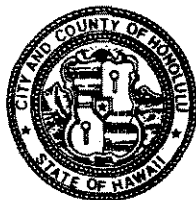


DEPARTMENT OF PLANNING AND PERMITTING  
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813

PHONE: (808) 523-4432 • FAX: (808) 527-6743

DEPT. WEB SITE: [www.honolulu.gov](http://www.honolulu.gov) • CITY WEB SITE: [www.honolulu.gov](http://www.honolulu.gov)



HENRY ENG, FAICP  
DIRECTOR

DAVID K. TANOUE  
DEPUTY DIRECTOR

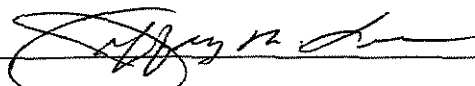
2006/SUB-176

SUBDIVISION	
File Number	: 2006/SUB-176
Project	: SUB / Pupukea--Kamehameha Hwy. / TMK: 5-9-005: 066
Location	:
Tax Map Key	: 5-9-005: 066
Owner	: Ing, Edward, et al.
Surveyor	: Bow Engineering & Development, Inc.
Agent	: Bow Engineering & Development, Inc.

An **Extension of the Deferral Period** was granted to the proposal and will expire on May 2, 2007. You must obtain tentative approval or complete the proposal by that date.

No further extension may be granted, under the provisions of Section 2-203 (c) of the Subdivision Rules and Regulations.

**THIS COPY IS NOTIFICATION OF THE ACTION TAKEN AND THE DATE IT WAS SIGNED.**

 For DIRECTOR October 17, 2006  
SIGNATURE TITLE DATE

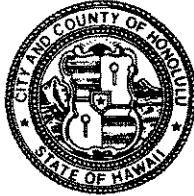
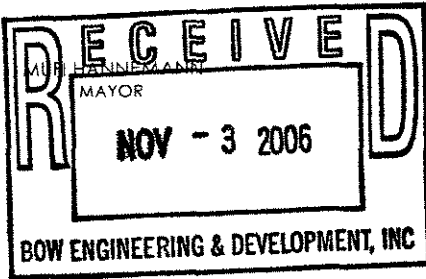
This approval does not constitute approval of any other required permits, such as building or sign permits. Should you have any questions, please call Jeff Lee at 523-4255.

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 523-4432 • FAX: (808) 527-6743

DEPT. WEB SITE: [www.honolulu.gov](http://www.honolulu.gov) • CITY WEB SITE: [www.honolulu.gov](http://www.honolulu.gov)

FILED  
10-31-06  
PACIFIC  
PMB



HENRY ENG, FAICP  
DIRECTOR

DAVID K. TANQUE  
DEPUTY DIRECTOR

October 30, 2006

2006/ELOG-2485 (mt)

Mr. William H.Q. Bow, P.E.  
Bow Engineering & Development, Inc.  
1953 S. Beretania Street, PH-A  
Honolulu, Hawaii 96826

Dear Mr. Bow:

Subject: Edward Ing, 12 Lot Subdivision  
59-426 Kamehameha Highway  
TMK: 5-9-005:066

This is in response to your letter of September 26, 2006, asking if our department would reconsider its position on requiring Mr. Ing to install the channel improvements to accommodate the flows from Pakulena Stream.

Our original position of requiring Mr. Ing to construct the channel improvements through his proposed developed was based on the stream alignment that is shown on the USGS maps. Until a formal drainage master plan is developed for the area, we recognize the stream alignment shown on the USGS map as the drainage way for Pakulena Gulch. An earlier drainage report prepared for the Department of Accounting and General Services in May, 1989, for improvements to the Sunset Beach Elementary School also recognized this stream alignment.

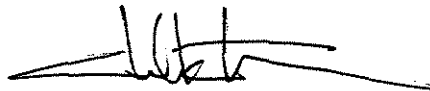
If the developer feels that the alignment is inappropriate or incorrect, he should have his engineer prepare a revised drainage master plan for the area and have it recognized by the Department of Land and Natural Resources, Department of Transportation, U.S. Geological Survey, and the Department of Education. The agencies would have to provide a letter indicating that they have reviewed the revised drainage master plan and have no objections to the findings of the report. The attached letter from DLNR does not satisfy this requirement. If all of these parties have no objections to the revised drainage master plan, our department would consider revising our earlier position.

Mr. William H.Q. Bow, P.E.  
October 30, 2006  
Page 2

We also believe it is appropriate to have the Department of Transportation accept the construction plans that have been prepared which reflects our initial request for the channel improvements. Logically, if the defined portion of Pakulena Stream ends above Sunset Beach Elementary School and sheets flows directly to Kamehameha Highway, even if Mr. Ing widens his section of the stream, there should not be any additional flows going to the State's double 3'x6' box culverts. Accordingly, we believe the State DOT should accept the construction plans.

Should you have any questions, please call Marvin Fukagawa at 527-5066 or Mel Takakura at 523-4732.

Very truly yours,

A handwritten signature in black ink, appearing to read 'H. Eng', with a long horizontal flourish extending to the right.

 Henry Eng, FAICP, Director  
Department of Planning and Permitting

HE:ky  
Attachment

LINDA LINGLE  
GOVERNOR OF HAWAII



PETER T. YOUNG  
CHAIRPERSON

MEREDITH J. CHING  
JAMES A. FRAZIER  
NEAL S. FUJIMURA  
CHIYOME L. FUKINO, M.D.  
LAWRENCE H. MIKE, M.D., J.D.  
STEPHANIE A. WHALEN

DEAN A. NAKANO  
ACTING DEPUTY DIRECTOR

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
P.O. BOX 821  
HONOLULU, HAWAII 96806

June 20, 2006

Mr. Michael McNulty, P.E.  
McNulty Civil Engineering  
67-335 Kaiea Place  
Waialua, HI 96791

Dear Mr. McNulty:

Thank you for your May 17, 2006 letter requesting whether a stream channel alteration permit (SCAP) is required for the Edward H. Ing Project at Pakulena Stream, TMK: (1) 5-9-005: 066, Sunset Beach, Oahu.

The Commission on Water Resource Management (Commission), Stream Protection and Management Branch, has the responsibility to protect stream channels from alteration whenever practicable to provide for fishery, wildlife, recreational, aesthetic, scenic, and other beneficial instream uses in the State of Hawaii under the authorization of the State Water Code (Code), Chapter 174C, and Hawaii Revised Statutes, Chapter 13-169 (Protection of Instream Uses of Water).

Pursuant to the Code, §174C-71(3)(A), the Commission "shall require persons to obtain a permit from the Commission prior to undertaking a stream channel alteration." The term "stream channel" is defined in the Code, §174C-3, as a "watercourse with a definite bed and banks which periodically or continuously contains flowing water."

Specifically for this project, Pakulena Stream is not a perennial stream and only flows when there is substantial rainfall. It does not have a definite bed and banks. More importantly, it does not support instream uses as defined in the Code. Therefore it is not considered to be a "stream channel" that would be regulated under the provisions of the Code.

Please be advised that the project may require other agency approvals regarding wetlands, water quality, grading, stockpiling, and floodways. This letter should not be used for other regulatory jurisdictions or used to imply compliance with other federal, state, or county rules.

If you have any questions, please contact Ed Sakoda at 587-0234.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dean A. Nakano".

DEAN A. NAKANO  
Acting Deputy Director

cc: Curtis Matsuda, State Dept. of Transportation - Highways Division



LINDA LINGLE  
GOVERNOR OF HAWAII



CHIYOME L. FUKINO, M.D.  
DIRECTOR OF HEALTH

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. BOX 3378  
HONOLULU, HAWAII 96801-3378

In reply, please refer to:  
EMD / CWP

R10C611.FNL

February 27, 2007

Mr. Edward H. Ing  
Owner  
Edward H. Ing Subdivision  
3138 Paty Drive  
Honolulu, Hawaii 96822

Dear Mr. Ing:

**Subject: NOTICE OF GENERAL PERMIT COVERAGE (NGPC)  
National Pollutant Discharge Elimination System (NPDES)  
Edward H. Ing Subdivision, 59-426 Kamehameha Highway  
Haleiwa, Island of Oahu, Hawaii  
File No. HI R10C611**

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. § 1251 et seq.; the "Act"); Hawaii Revised Statutes, Chapter 342D; and Hawaii Administrative Rules (HAR), Chapters 11-54 and 11-55, Department of Health (DOH), State of Hawaii,

**EDWARD H. ING**

(hereinafter PERMITTEE)

is authorized to discharge storm water associated with construction activity from the subject project to Pakulena Stream, Class 2, Inland Waters at the following discharge location:  
From Discharge Point No. 1 at Latitude 21°39'38"N and Longitude 158°03'16"W,  
to Discharge Point No. 2 at Latitude 21°39'39"N and Longitude 158°03'16"W.

**This NGPC will take effect on the date of this notice. This NGPC will expire at midnight, November 6, 2007, or when amendments to HAR, Chapter 11-55, Appendix C, are adopted, whichever occurs first. Any non-compliance with the conditions of this NGPC may be subject to penalties of up to \$25,000 per violation per day.**

**The Permittee shall:**

1. Comply with HAR, Chapter 11-55, Appendix C, NPDES General Permit Authorizing Discharges of Storm Water Associated with Construction Activities (enclosed).

Mr. Edward H. Ing

February 27, 2007

Page 2

2. Comply with HAR, Chapter 11-55, Appendix A, DOH, Standard General Permit Conditions (enclosed).
3. Comply with HAR, Chapter 11-55, Sections 11-55-34.04(a), 11-55-34.07, 11-55-34.11, 11-55-34.12 (enclosed), and any other sections applicable to the subject activity.
4. Comply with all materials submitted in and with the Notice of Intent (NOI), dated May 10, 2006, and additional submittals, dated November 22, 2006, and February 12, 2007.
5. Retain a copy of this NGPC and all other related materials at the job site or at a nearby field office.
6. Implement, operate, and maintain the project site-specific Best Management Practices (BMPs) Plan to ensure that storm water discharges associated with construction activities will not cause or contribute to a violation of applicable State water quality standards.
7. Submit any changes to information on file with the Clean Water Branch (CWB) as soon as such changes arise, and properly address all related concerns and/or comments to the CWB's satisfaction.
8. For future submittals, include the File No. HI R10C611 and the following certification statement in your cover letter:  
  
**"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."**
9. Submit the following information 30 days before the start of construction activities:
  - a. The General Contractor information (Item 3 of the NOI).
  - b. A copy of the permit, license, or equivalent written approval granted by the owner of the storm water drainage system allowing project site storm water runoff to enter their drainage system (Item 5.c.iii of the NOI).

Mr. Edward H. Ing  
February 27, 2007  
Page 3

- c. A copy of the County-approved Erosion and Sediment Control Plan signed by the City and County of Honolulu (Item 15.b.v of the NOI).
  - d. The updated construction schedule (Item 15.b.vi of the NOI).
10. Complete and submit the enclosed Solid Waste Disclosure Form for Construction Sites to the Office of Solid Waste Management as specified on the form.
11. Complete and submit the Notice of Cessation (NOC) Form (CWB-NOC Form) to the CWB within two (2) weeks of completion of the subject project. The CWB-NOC Form can be downloaded from our website at:  
<http://www.hawaii.gov/health/environmental/water/cleanwater/forms/pdf/cwb-noc.pdf>.
12. Know that as of the date of this letter, Mr. Michael McNulty of McNulty Civil Engineering is no longer recognized as the duly authorized representative. All information must be submitted by Mr. Ing unless a new authorized representative is appointed by submitting information on CWB-NOI Form C: Items 18.c. or 18.d. - Authorization of Representative.

**The Permittee is responsible for obtaining other Federal, State, or local authorizations as required by law.**

If you have any questions, please contact Mr. Erecson L. Jatco of the Engineering Section, CWB, at 586-4309.

Sincerely,



THOMAS E. ARIZUMI, P.E. CHIEF  
Environmental Management Division

EJ:np

- Enclosures:
- 1. HAR, Sections 11-55-01 and 11-55-34 to 11-55-34.12
  - 2. HAR, Chapter 11-55, Appendices A and C
  - 3. Title 40, Code of Federal Regulations Citations as referenced in HAR, Chapter 11-55, Water Pollution Control, Appendix A
  - 4. Solid Waste Disclosure Form for Construction Sites
  - 5. Receipt No. 19350 for \$500 Filing Fee

c: Mr. Michael McNulty, McNulty Civil Engineering (w/o encls.) [via fax 637-2358 only]  
Mr. Wallace K. Sato, DOT-HWYS (w/o encls.) [via fax 831-6725 only]



## **CONSTRUCTION ADMINISTRATION REPORT**

**PROJECT:** Ing 12 Log AG-2 Subdivision  
Haleiwa, Hawaii

**JOB No.** 03-27

**DATE:** April 5, 2007

### **PRESENT AT MEETING**

Ed Ing	Owner
Roscoe Ford	Engineer of Record
Curtis Matsuda	State DOT Drainage
Bill Bow	Bow Engineering
Darin Aihara	Bow Engineering

**LOCATION/TIME:** State DOT Kapolei Office, Room 611 - 10:00A.M.

**MEETING TOPIC:** SDOT Drainage Requirements for Plan Approval

### **MEETING NOTES:**

1. State Attorney General's office informed State DOT (SDOT) that it would be SDOT's responsibility to make the decision on the drainage issue.
2. Revise hatching on map attached to September 26, 2006 letter addressed to SDOT.
3. Add explanation on General Notes sheet explaining the assumption for the 2,100 cfs stormwater runoff and Hydraulic Grade Line noted on plans and details.
4. Update drainage report to include requirements specified by the SDOT during the meeting.
5. Maintain a *Net Zero Increase* in stormwater runoff to the double barrel culvert on Kamehameha Highway. Quantify the net zero increase in the drainage report and mention the *Net Zero Increase* in the conclusion. Drainage report conclusions must be reflected on the plans.
6. Plans were revised to show the portion of channel from the bottom of the concrete spillway flume to the existing double barrel culvert on Kamehemeha Highway as a grassed channel not a concrete lined channel.
7. There shall be no increase in storm water runoff from Mr. Ed Ing's upstream property (TMK: 5-9-5: 83) to Kamehameha Highway. Mr. Ing will provide a legal document binding the development of TMK: 5-9-5: 83 to a net zero increase in stormwater runoff to Kamehemeha Highway.
8. Submit complete package to State DOT: Revised September 26<sup>th</sup>, 2006 letter, Revised Construction Plans, Revised Drainage Report, and Legal Document for TMK: 5-9-5: 83.

03-27  
12X

<b>DPP Form: REVform      COMMENTS</b> <b>(From Civil Engineering Branch)</b>		<b>SITE DEVELOPMENT DIVISION</b> Department of Planning & Permitting	
<b>PROJECT:</b> 12 AG-2 Lots Subdivision and Access Road with Water Line		<b>Log No.:</b> 2003/CP-126	<b>Date:</b> 4/25/07
		<b>Ref. No.:</b> 2002/SUB-266, 2001/SMA-66	
<b>T.M.K.:</b> 5-9-005: 066	<b>Submitted by:</b> Bow Engineering & Development, Inc. <b>Contact:</b> William Bow Ph: 735-8546		<b>Due Date:</b>
<b>ROUTE TO:</b> <input type="checkbox"/> BLDG <input type="checkbox"/> CEB <input type="checkbox"/> WWB <input type="checkbox"/> TRB <input type="checkbox"/> BWS <input type="checkbox"/> HFD <input type="checkbox"/> FIN <input type="checkbox"/> UDB <input type="checkbox"/> OTHER			
<p><b>Comments:</b> <u>1<sup>ST</sup> REVIEW</u> COMMENTS- C, D, SWQ, S <u>2<sup>ND</sup> REVIEW</u> COMMENTS- C, D, SWQ, S <u>3<sup>RD</sup> REVIEW</u> COMMENTS – C, D, SWQ, S <u>4<sup>th</sup> REVIEW</u> COMMENTS – C, D, S <u>5<sup>th</sup> REVIEW</u> COMMENTS – C,D,S <u>6<sup>th</sup> REVIEW</u> COMMENTS – C, D, S <u>7<sup>th</sup> REVIEW</u> COMMENTS – C, D, S <u>8<sup>th</sup> REVIEW</u> COMMENTS – C, D, S <u>9<sup>TH</sup> REVIEW</u> COMMENTS – D, S <u>10<sup>th</sup> REVIEW</u> COMMENTS – D  <u>11<sup>th</sup> REVIEW</u></p> <p><b>D: 5</b></p> <p><b>Comment Key:</b> 1 – See attached memo      2 – See remarks      3 – More data required 4 – Make Corrections as noted      5 – Prints okay      6 – Okay for signature 7 – Okay for signature after corrections are made</p> <p><b>Comments by:</b> C – Steven Young (768-8108); D – Len Furukawa (768-8105); D1 - Todd Kuniyoshi (768-8109); S - Don Fujii (768-8107); SWQ - Dawn Kimura (768-8106); RM - Charles Pignataro (484-7697)</p>			
Dept. <u>DPP/CEB</u> Print Name of Examiner: <u>See above</u> Phone No. <u>See above</u> Date <u>4/25/07</u>			
DPP Document Name: <u>334773rev11</u> After inputting your Branch/Dept. comments save to your own document name and extension			



May 1, 2007

Mr. Jeff Lee  
Department of Planning & Permitting, Subdivision Branch  
City & County of Honolulu  
650 South King Street, 8<sup>th</sup> Floor  
Honolulu, Hawaii 96813

Subject: Preliminary Subdivision Application for  
Edward Ing, 12 Ag-2 Lot Subdivision  
59-426 Kamehameha Highway  
TMK: 5-9-005: 066  
File Number 2002/SUB-266

Dear Mr. Lee:


Attached for your use are twenty (20) copies of the Preliminary Subdivision Map and check in the amount of \$900.00 for the processing of the Preliminary Subdivision Application of the 12 AG-2 Lot Subdivision and Lot M-3-C-A.

In addition to the Map, the following conditions for the subdivision have been completed:

1. Acceptance of the Drainage Report by DPP Civil Engineering Branch.
2. SMA Use Permit Extension by the City Council to satisfy the requirements by the Land Use Approvals Branch.

Please call me if you have any questions.

Very truly yours,

  
William H.Q. Bow, P.E.  
President

Cc: Mr. Edward Ing

SYLVIA K. ING  
3138 PATY DR  
HONOLULU, HI 96822  
808-988-2307

8057  
59-101/1213

PAY TO THE  
ORDER OF

*May 1, 2007*  
*City and County of Honolulu*

DATE

\$

*917.2*

DOLLARS

Security  
Features  
Details on  
Back



**First Hawaiian Bank**

HALEIWA BRANCH  
66-135 KAMEHAMEHA HIGHWAY  
HALEIWA, HAWAII 96712

FOR

*Co. of Honolulu (Hawaii)* *John F. Ing*

⑆121301015⑆8057 26⑈312620⑈



**\*\*\* Transmittal Letter \*\*\***

**TO:** City & County of Honolulu  
DPP, Subdivision Branch  
650 South King Street, 8<sup>th</sup> Floor  
Honolulu, Hawaii 96813

**DATE:** May 2, 2007

Attn: Mr. Jeff Lee  
Ph.: 768-8099

**FROM:** Darin Aihara  
daihara@bowengineering.com

**FILE:** 03-27

**Subject** **Ing Subdivision Application**

---

Attached are the following items regarding the subject project:

1. 1 – Completed Site Development Master Application Form
  2. 1 – Copy of the Authorization to Subdivide and Consolidate Lot M-3-C
  3. 1 – Copy of the Authorization Letter stating Bow Engineering as authorized agent.
- 

For your use as requested.

Please call me if you have any questions.

Thanks.



CITY AND COUNTY OF HONOLULU  
DEPARTMENT OF PLANNING & PERMITTING  
650 South King Street, Honolulu, Hawaii 96813

## SITE DEVELOPMENT DIVISION MASTER APPLICATION FORM

Additional data, drawings/plans, and fee requirements are listed on a separate sheet titled "Instructions for Filing" and are available at your request. All specified materials described in the "Instructions for Filing" and required fees must accompany this form. You are encouraged to consult with Site Development Division (SDD) staff in completing the application to avoid processing delays.

I. APPROVAL	PERMIT	VARIANCE	AGREEMENT/LICENSE
-------------	--------	----------	-------------------

Check one or more as appropriate:

- |   |   |  |  |
|---|---|--|--|
| <input checked="" type="checkbox"/> Subdivision | <input type="checkbox"/> Grading          | <input type="checkbox"/> Non-Standard Sidewalk Finish Variance | <input type="checkbox"/> Sidewalk Area Planting Strip Improvements Agreement |
| <input type="checkbox"/> Easement(s)            | <input type="checkbox"/> Grubbing         | <input type="checkbox"/> Surface Encroachment Variance         | <input type="checkbox"/> Unimproved Sidewalk Area Agreement                  |
| <input type="checkbox"/> Lot Consolidation      | <input type="checkbox"/> Stockpiling      | <input type="checkbox"/> Non-Standard Driveway Variance        | <input type="checkbox"/> Driveway Crossing Existing Retaining Wall Agreement |
| <input type="checkbox"/> Park Dedication        | <input type="checkbox"/> Trenching        | <input type="checkbox"/> Drainage Easement Variance            | <input type="checkbox"/> Sewer Easement Agreement                            |
| <input type="checkbox"/> Site Development       | <input type="checkbox"/> Dewatering       | <input type="checkbox"/> Slope Easement Variance               |  |
| <input type="checkbox"/> Flood Determination    | <input type="checkbox"/> Sewer Connection | <input type="checkbox"/> Flood Hazard District Variance        | <input type="checkbox"/> Drainage Connection License                         |

**NOTE: Sections II & III must be filled in completely for all applications. Please type or print legibly.**

### II. LOT AND LAND USE INFORMATION

TAX MAP KEY(S) 5-9-5:66 Lot Area: 26.78 acres sq.ft./ac.

Zoning District: AG-2 Development Plan Designation: General Agricultural State Land Use District: Agriculture

Street Address/Location of Property: 59-426 Kamehameha Highway  
Haleiwa, Hawaii 96712

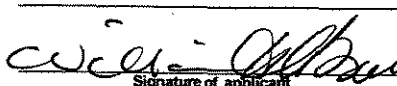
Present Use of Property/Building: Several Single Family Dwellings/Vacan Lot

Project Name (if any): Ing 12 Lot AG-2 Subdivision

Request/Proposal (describe the nature of the request, proposed activity or project):

Request for approval to subdivide TMK: 5-9-5:66 into 12 AG-2 lots as well as subdivide TMK: 5-9-5:86 to allow for a wider access driveway for the subdivision.

### III. APPLICANT INFORMATION

	Recorded Fee Owner/Applicant	Engineer/Architect/Surveyor	Contractor/Authorized Agent/Contact
Name (& title)	<u>See Attached Letter</u>	<u>Bow Engineering &amp; Development</u>	<u>← Same as Engineer</u>
Mailing Address		<u>1953 S. Beretania Street, PH-A</u>	
		<u>Honolulu, Hawaii 96826</u>	
	City State Zip	City State Zip	City State Zip
Phone Number(s)		<u>808 - 941 - 8853</u>	
Applicant	<u>William H.Q. Bow</u> <small>Print name of applicant</small>	<u>President, Bow Engineering</u> <small>Print title of applicant</small>	 <small>Signature of applicant</small>

### IV. FOR GRADING/GRUBBING/STOCKPILING INFORMATION ONLY

Estimated Dates: Start: \_\_\_\_\_ Completion: \_\_\_\_\_ Borrow Material: \_\_\_\_\_

Area of work (sf): \_\_\_\_\_ Borrow Site: \_\_\_\_\_

Dimensions of work: Length: \_\_\_\_\_ Width: \_\_\_\_\_ Height\*: \_\_\_\_\_ Disposal Material: \_\_\_\_\_

Estimated Quantity (cy): Cut: \_\_\_\_\_ Fill: \_\_\_\_\_ Disposal Site: \_\_\_\_\_

\*Stockpile Only

#### AUTHORIZATION CLEARANCE

This statement of authorization is used in reference to the information provided for in sections I, II and III above.

I/We, \_\_\_\_\_, hereby authorize \_\_\_\_\_ to act in my/our behalf in obtaining/closing the Grading/Grubbing/Stockpiling permit for the project.

Print name of person giving authority      Print name of person receiving authority

\_\_\_\_\_  
Signature of Owner/Developer giving authority

#### FOR DIVISION USE ONLY:

Date of Application: \_\_\_\_\_ Received By: \_\_\_\_\_ Application No.: \_\_\_\_\_

**SEE REVERSE FOR APPLICATIONS FOR TRENCHING AND SEWER CONNECTION.**

**Authorization to Subdivide and Consolidate**

This authorization is in reference to a proposed subdivision of Lot M-1 as shown on Map 34 of Land Court Application 1095, together with a 44-foot wide right-of-way (Lot D), Location at 59-426 Kamehameha Highway, Oahu, TMK: 5-9-5:66.

This is to give our permission for the subdivision of the 12-foot wide roadway easement from Lot M-3-C and the consolidation of the 12-foot wide roadway into roadway Lot D, thereby creating a 44-foot wide right-of-way per section 1-109 of the Subdivision Rules and Regulations.

Daniel C. Sabido

Full Name Land Owner

DANIEL C. SABIDO

Deanna J. Sabido

Full Name Land Owner

DEANNA J. SABIDO

State of Hawaii  
 City & County of Honolulu } ss.

On this 26<sup>th</sup> day of December, 2002  
Day Month Year

before me personally appeared

(1) Daniel C Sabido

Name of Signer

(2) and Deanna J.G. Sabido

Name of Signer

to me personally known, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable in the capacity shown, having been duly authorized to execute such instrument in such capacity.

[Signature]  
Signature of Notary Public

My commission expires: 1-18-04

#### OPTIONAL

Though the information in this section is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

#### Description of Document and Signer

Document Title/Type: Authorization to Subdivide & Consolidate Date: 12-26-02 No. Pgs.: 1

Signer(s) Other Than Named Above: \_\_\_\_\_

Signer's Capacity: \_\_\_\_\_ Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER #1  
Top of thumb here

RIGHT THUMBPRINT  
OF SIGNER #2  
Top of thumb here

LINDA LINGLE  
Governor



**COPY**

SANDRA LEE KUNIMOTO  
Chairperson, Board of Agriculture

DUANE K. OKAMOTO  
Deputy to the Chairperson

State of Hawaii  
DEPARTMENT OF AGRICULTURE  
1428 South King Street  
Honolulu, Hawaii 96814-2512

May 25, 2007

Mr. Henry Eng, FAICP  
Director  
Department of Planning and Permitting  
City and County of Honolulu  
650 South King Street, 7<sup>th</sup> Floor  
Honolulu, Hawaii 96813  
Attention: Mr. Jeff Lee

Post-it® Fax Note	7671	Date	5/31	# of pages	2
To	Bin BOW	From	Earl		
Co./Dept.		Co.	HDOA		
Phone #		Phone #	9739466		
Fax #	945-9299	Fax #	9739467		

Dear Mr. Eng:

Subject: Proposed Agricultural Subdivision (2007/SUB-122)  
59-426 Kamehameha Highway – Pupukea  
TMK: 5-9-05: 66  
Area: approximately 26.684 acres  
Lots Proposed: 12 (plus roadway lot)

Thank you for the opportunity to comment on the proposed consolidation and subdivision of the subject property. We understand this project is essentially the same as what we reviewed and submitted comments on in December 2001 (copy attached). Our comments remain applicable to the subject subdivision.

We would like to add that the City's definitions of "Rural" and "Rural Residential" (North Shore Sustainable Communities Plan, Appendix A, page A-4) describe single family homes on medium to large size lots. This is similar to the definition of the State Rural District (Section 205-2(c), Hawaii Revised Statutes). The subject property is still within the State Agricultural District and the subdivision remains an agricultural subdivision where dwellings are supposed to be accessory to agricultural activities. If it is the intent of the City to establish a Rural District-like land use initiative that it be done separately from the Agricultural District.

Should you have any questions, please contact Earl Yamamoto at 973-9466, or e-mail him at [earl.i.yamamoto@hawaii.gov](mailto:earl.i.yamamoto@hawaii.gov).

Sincerely,

Sandra Lee Kunimoto  
Chairperson, Board of Agriculture

attachment

sunsetbeach3.e07



BENJAMIN J. CAYETANO  
Governor



State of Hawaii  
DEPARTMENT OF AGRICULTURE  
1428 South King Street  
Honolulu, Hawaii 96814-2512

JAMES J. NAKATANI  
Chairperson, Board of Agriculture

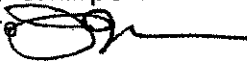
LETITIA N. UYEHARA  
Deputy to the Chairperson

Mailing Address:  
P.O. Box 22159  
Honolulu, Hawaii 96823-2159

Fax: (808) 973-9613

December 21, 2001

To: Randall K. Fujiki, Director  
Department of Planning and Permitting  
City and County of Honolulu

From: James J. Nakatani, Chairperson  
Board of Agriculture 

Subject: Draft Environmental Assessment  
Special Management Area Use Permit  
Sunset Beach Agricultural Subdivision  
TMK: 5-9-05: 66  
Area: 26.684 acres  
Lots proposed: 12, 2-acres each

Thank you for the opportunity to comment on the subject document.

**Background:**

- 12, 2-acre lots
- State Agricultural District
- AG-2 zone
- Rural designation in North Shore Sustainable Communities Plan
- Parcel presently used for grazing cows and horses
- Adjacent uses include one-acre and two-acre lots, undeveloped agricultural land.
- Land Study Bureau (LSB) Overall Productivity Ratings are D and E
- Agricultural Lands of Importance to the State of Hawaii (ALISH) designations are 5.4 acres of "Prime," 7.5 acres of "Other Important," and the remainder not classified



Mr. Randall K. Fujiki  
December 21, 2001  
Page -2-

**Comments on issues related to Special Management Area:**

We have no comment regarding the impact of the proposed project on the Special Management Area resources.

**Comments on other issues:**

The area in the vicinity of the subject parcel, between the escarpment and Kamehameha Highway, appears to have minimal agricultural activity. The subject parcel has fair to poor soils (rocky and poorly drained), is surrounded by small lots, and is designated Rural according to the Community Plan.

The proposed 1.5" meters for each proposed lot will be sufficient to irrigate most crops.

**Conclusion:**

We do not believe the project will adversely affect the agricultural resources of the area or that of Oahu. However, since the project is situated within the State Agricultural District, any restrictions and covenants placed on the lots should contain the expectation that the lot owner will make good-faith efforts to undertake activities on the land that would be in consonance with Chapter 205, Hawaii Revised Statutes, or words to this effect.

Should you have any questions, please contact Earl Yamamoto at 973-9466.

LINDA LINGLE  
GOVERNOR OF HAWAII



CHIYOME LEINAALA FUKINO, M.D.  
DIRECTOR OF HEALTH

**STATE OF HAWAII  
DEPARTMENT OF HEALTH**

P.O. BOX 3378  
HONOLULU, HAWAII 96801

In reply, please refer to:  
EMD / WB

May 30, 2007

Paul E. Gruwell  
3569 Harding Ave.  
P.O. Box 3003  
Honolulu, HI 96816

Dear Sir/Madam:

**Subject:** Individual Wastewater System (IWS) for  
**Owner/Lessee:** ED ING  
**Project Site:** 59-426 KAM HWY, SUNSET BEACH, HI  
**TMK:** 159005066  
**IWS File No.:** 232 (Septic Tank)

We have received your IWS final inspection report, Certification of Construction and As Built Plans for the above IWS. Information submitted to us indicates that the installed IWS meets applicable provisions of Hawaii Administrative Rules, Title 11, Chapter 62, entitled Wastewater Systems.

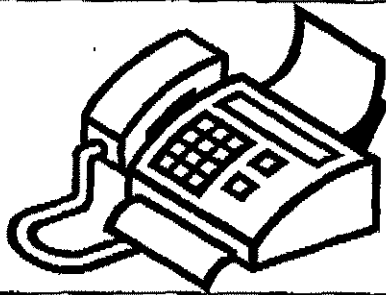
As the professional engineer responsible for the Certification of Construction, please inform your client that the above IWS is approved for use. You are also responsible for seeing that your client receives a copy of this Approval for Use letter together with the IWS as-built plans. We strongly recommend that you discuss the necessary operation and maintenance of the individual wastewater system with your client. Emphasis should be placed on periodic inspections of scum and sludge accumulation as well as informing them not to dispose of materials that could affect the operation of the wastewater system.

Should you have any questions, please feel free to contact Johnny Ong at 586-4294.

Sincerely,

A handwritten signature in black ink, appearing to read "Harold K. Yee".

HAROLD K YEE, P.E.  
Chief, Wastewater Branch



## A facsimile from

To: BILL BOW

Company: \_\_\_\_\_

Fax #: 945-9299

Date: 6-14-07

INLAND DESIGNS, INC.

Richard Cervino

2575 Kuhio Avenue, 1602

Honolulu, HI 96815

Ph. & Fax (808) 924-1980

Regarding: STATE LETTER OF APPROVAL

Comments: PER MR ING REQUEST

Thank you,  
Richard Cervino



LINDA LINGLE  
GOVERNOR OF HAWAII



CHIYOME L. FUKINO, M.D.  
DIRECTOR OF HEALTH

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. Box 3378  
HONOLULU, HAWAII 96801-3378

In reply, please refer to.

EPO-07-097

June 4, 2007

Mr. Henry Eng, Director  
Subdivision Branch  
City and County of Honolulu  
Department of Planning and Permitting  
650 South King Street, 7<sup>th</sup> Floor  
Honolulu, Hawaii 96813

Post-It® Fax Note	7671	Date	6/8/07	# of pages	6
To	DAKUN AITAKA	From	JEFF LEE		
Co./Dept.	BOW ENGR.	Co.	DPP		
Phone #		Phone #	768-8099		
Fax #	945-9299	Fax #			

Dear Mr. Eng:

SUBJECT: 2007/SUB-122  
City and County of Honolulu Subdivision Application for the Property at 59-426  
Kamehameha Highway, Oahu, Hawaii  
TMK: (1) 5-9-005: 066 and 086; 26.684 acres

Thank you for allowing us to review and comment on the subject application. The application was routed to the various branches of the Environmental Health Administration. We have the following Wastewater Branch and General comments.

Wastewater Branch

The project proposes the consolidation and subdivision of the above mentioned property into 14 lots, each 2 acres or more in size. The project is located in the Critical Wastewater Disposal Area (CWDA) where no new cesspools will be allowed. It is also located in the Pass Zone where new non cesspool on-site wastewater systems are allowed for domestic wastewater disposal.

The Branch concurs with the subdivision provided that the following comments are addressed:

The Department granted construction approval for two (2) septic systems for the subject property on September 28, 1989. To date the septic systems were not finalized or approved for use. Before the subdivision is given final approval, please have the wastewater design engineer provide us with information and status of the pending septic systems. If the septic systems were constructed, then the IWS design engineer needs to submit a final inspection report to the Department such that the projects can be closed.

Mr. Eng  
June 4, 2007  
Page 2

The proposed subdivision map should also show the location of the two (2) septic systems if they were constructed. The location of all individual wastewater systems (IWS) such as cesspools or septic systems must meet minimum setback distances from proposed property lines.

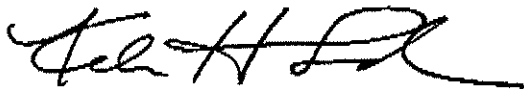
All wastewater plans must meet Department's Rules, HAR Chapter 11-62, "Wastewater Systems." We do reserve the right to review the detailed wastewater plans for conformance to applicable rules. If you have any questions, please contact the Planning & Design Section of the Wastewater Branch at 586-4294.

General

We strongly recommend that you review all of the Standard Comments on our website: [www.state.hi.us/health/environmental/env-planning/landuse/landuse.html](http://www.state.hi.us/health/environmental/env-planning/landuse/landuse.html). Any comments specifically applicable to this application should be adhered to.

If there are any questions about these comments please contact Jiacai Liu with the Environmental Planning Office at 586-4346.

Sincerely,



KELVIN H. SUNADA, MANAGER  
Environmental Planning Office

c: EPO  
WWB

Enclosures: IWS Profile and Cesspool Survey Forms

LINDA LINGLE  
GOVERNOR OF HAWAII



CHIYOME LEINAAALA FUKINO, M.D.  
DIRECTOR OF HEALTH

**STATE OF HAWAII**  
**DEPARTMENT OF HEALTH**  
P.O. BOX 3378  
HONOLULU, HAWAII 96801-3378

In reply, please refer to:  
File:

Wastewater Branch  
919 Ala Moana Blvd. Room 309  
Honolulu, Hawaii 96814-4920  
Phone (808) 586-4294 Fax (808) 586-4300

**INDIVIDUAL WASTEWATER SYSTEM (IWS) PROFILE**

An individual wastewater system (IWS) file has been found and the following information is provided. In general, the Department of Health has reviewed and approved of the plans based on the information submitted as verification that a treatment IWS such as a septic tank/aerobic unit was constructed and authorized to be used for wastewater disposal from a building/dwelling.

IWS profile.wpd sam as of March 2, 2007

**General Information**

Permit ID	<u>232</u>	IWS type	<u>Septic Tank</u>	Assigned to	<u>Johnny</u>
File Number	<u>300</u>	Submit		<u>9 / 10 / 1989</u>	
Engineer	<u>Paul Gruwell</u>	Reviewed		<u>12 / 16 / 2006</u>	
TMK ( )	<u>5-9-005:066</u>	Plan Approved		<u>12 / 21 / 2006</u>	
Address	<u>59-426 Kam Hwy</u>	Inspection		<u>      /      /      </u>	
<u>Unset Beach</u>		Final Approval		<u>      /      /      </u>	

**Site Information**

**Property Owner**

First Name Ed  
Last Name Ing

**Dwelling Information**

Total Bedrooms \_\_\_\_\_  
Flow Rate 2500 gpd  
Bldg Type \_\_\_\_\_

**IWS System Information**

Type Septic tank Disposal seepage pit  
Percolation 5 min/in

For further information, please feel free to call the Wastewater Branch engineer as listed:  
Johnny Ong, Oahu, Wastewater Branch (808) 586-4294 Fax 586-4300  
Roland Tejano, Maui, Maui District Health Office (808) 984-8232 Fax 984-8237  
Dane Hiromasa, Kona, Kealahou Health Center (808) 322-1963 Fax 322-1511  
Jerry Nunogawa, Hilo, Hawaii District Health Office (808) 933-0401 Fax 933-0400  
Lori Vetter, Kauai, Kauai District Health Office (808) 241-3323 Fax 241-3566

STATE OF HAWAII  
DEPARTMENT OF HEALTH

not  
Aug 17 3:29 PM '88  
SANITATION BRANCH  
ENVIRONMENTAL PROTECTION AND HEALTH  
SERVICES DIVISION L

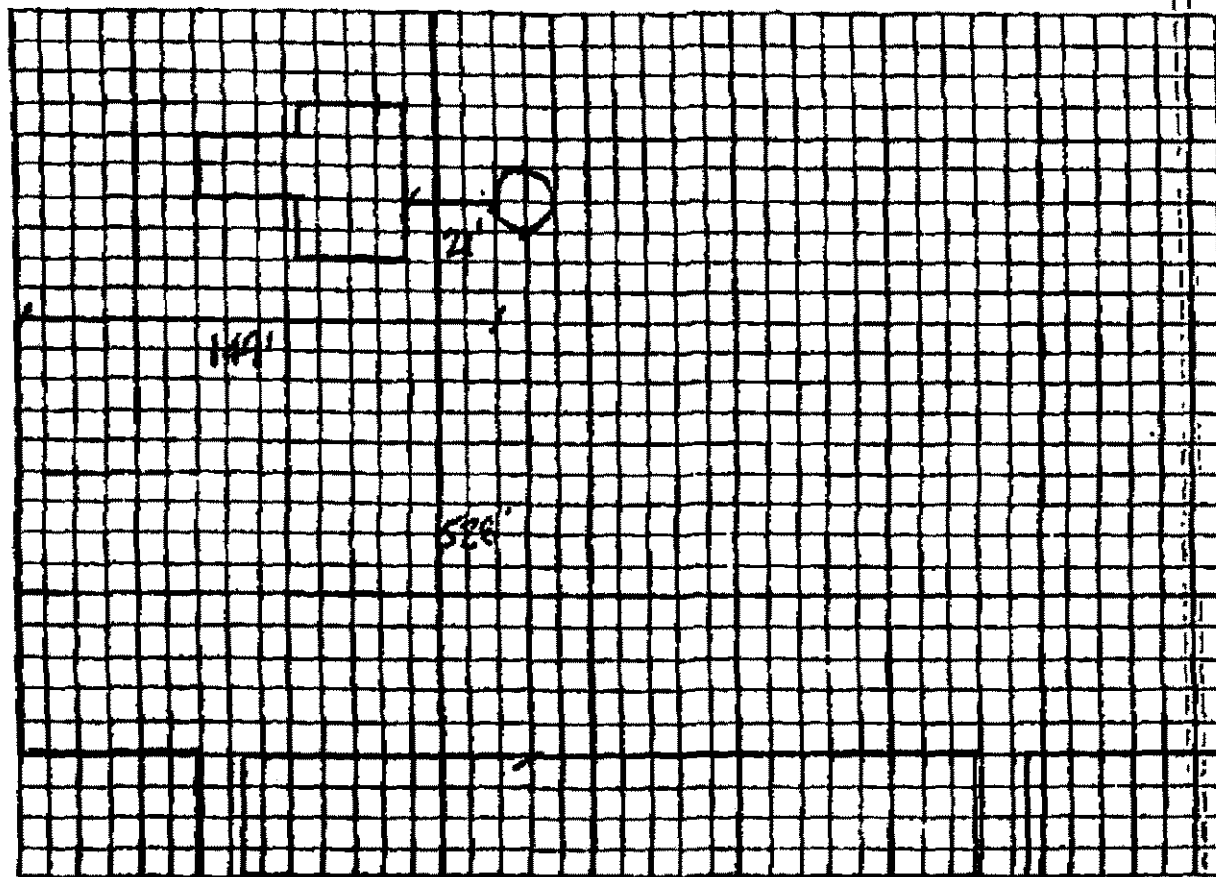
CESSPOOL SURVEY

Property Owner Ed Ing Address 59-426 Kam Hwy.  
Tax Map Key 5-9-5:66 Lot No \_\_\_\_\_  
Island Oahu City Pupukea District Koolauloa  
Builder or Contractor Phil's Welding & Crane (Kelly) Intended For Single Family Dwelling  
Primary X Secondary --- Other ---  
Distance From Building 21 feet Boundary 149 feet Stream, Well, Body of Water, Etc > 50 feet  
Diameter (Clear) Ft. 6 Depth-Ft. 31 Capacity (Gal) 6557  
No. Ft Down to Water Table None Ground Slope 10  
Soil Profile (Starting from Surface) 0-13 Clay loam/small boulders 29-33 Clay loam  
13-16 Clay loam/blue rock  
16-27 Clay loam  
27-29 Clay loam/blue rock mix  
Type of Wall or Curb Concrete hollow tile Reinforced Concrete Cover Yes  
Distance from Finished Ground to Top of Cover (Ft.) 1  
Date Certificate Issued ---  
Date Approved August 15 1988 Gary Hickman  
Sanitarian

REMARKS

Boundary measurements  
provided by owner  
representative  
David Richardson.

Mauka  
↑  
DIRECTION

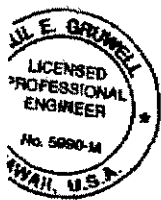
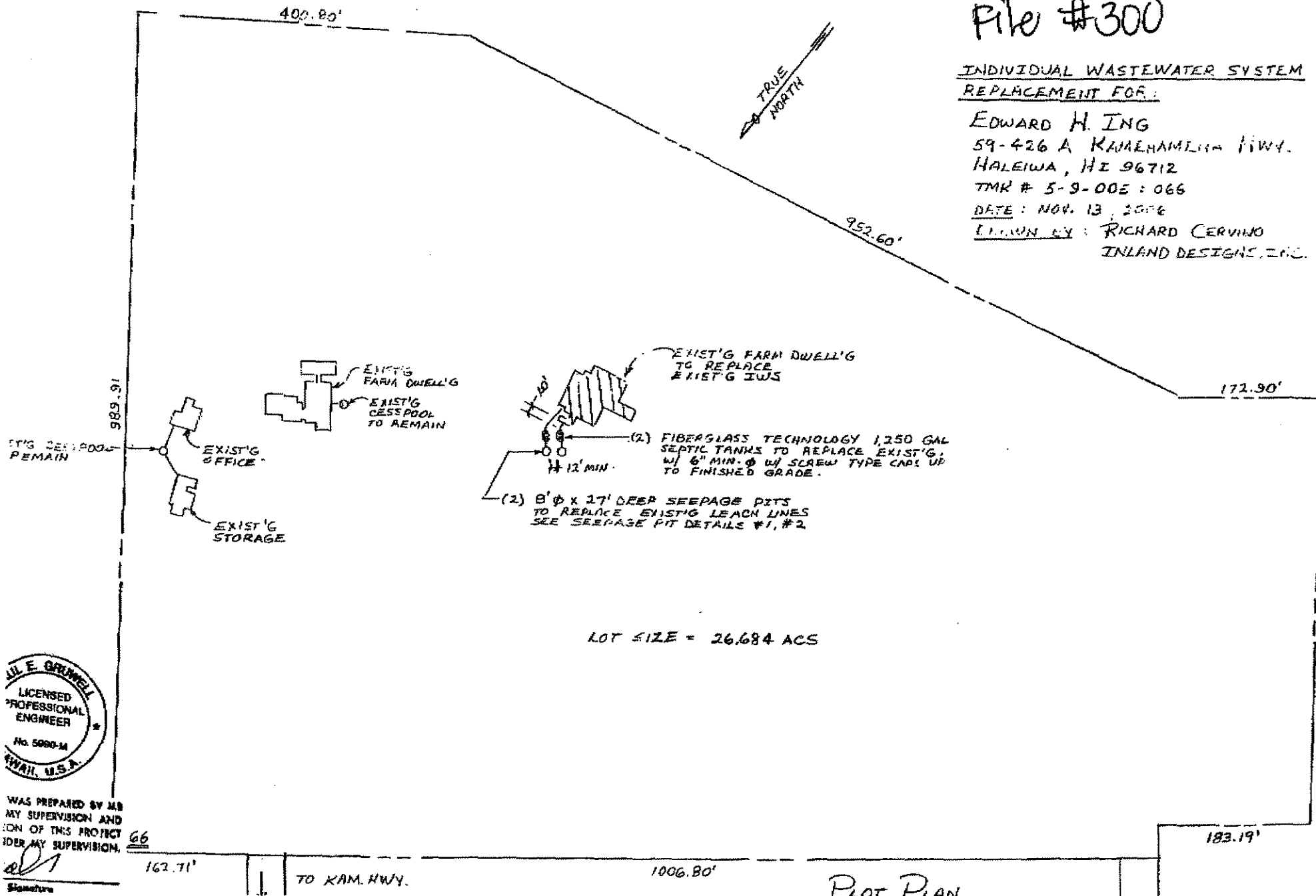


Kam Hwy.

File #300

INDIVIDUAL WASTEWATER SYSTEM  
REPLACEMENT FOR:

EDWARD H. ING  
59-426 A KAAHAHAMA HWY.  
HALEIWA, HI 96712  
TMR # 5-9-00E : 066  
DATE : NOV. 13, 2006  
DRAWN BY : RICHARD CERVINO  
INLAND DESIGN, INC.



WAS PREPARED BY ME  
UNDER MY SUPERVISION AND  
SIGNATURE OF THIS PROJECT  
UNDER MY SUPERVISION.

66

Signature

LINDA LINGLE  
GOVERNOR



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097  
JUN 15 2007

BARRY FUKUNAGA  
DIRECTOR

Deputy Directors  
FRANCIS PAUL KEENO  
BRENNON T. MORIOKA  
BRIAN H. SEKIGUCHI

IN REPLY REFER TO:

HWY-PS  
2.4683

Mr. Henry Eng, FAICP  
Director  
Department of Planning and Permitting  
City and County of Honolulu  
650 South King Street, 7<sup>th</sup> Floor  
Honolulu, Hawaii 96813

Dear Mr. Eng:

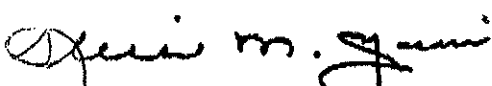
Subject: Ed Ing 12 AG-2 Lots Subdivision, 2007/SUB-122, Pupukea, TMK: 5-9-05: 66

Thank you for consulting with us regarding the subject subdivision application request. We have the following comments:

1. The subdivision has two access points and we request that only a single access point be allowed. Additionally, why is Pukea Road, which appears adjacent to the proposed subdivision not being utilized for access?
2. Direct access to Kamehameha Highway, our State facility, may incur an added valuation assessment. The applicant should contact our Rights-of-Way Branch at 692-7325 for more information.
3. Additional storm run off resulting from this subdivision shall not be allowed into our highway rights of way.
4. Plans for construction within the highway rights of way shall be submitted for review and approval. The design and specifications shall conform to applicable highway design standards.

If you have any questions, please contact Ronald Tsuzuki, Head Planning Engineer, at 587-1830. Please reference file review number 07-154 in all contacts and correspondence regarding these comments.

Very truly yours,

  
BRENNON T. MORIOKA, Ph.D., P.E.  
Deputy Director - Highways

**Bow Engineering & Development, Inc.**  
1953 S. Beretania Street, PH-A  
Honolulu, Hawaii 96826

Telephone (808) 941-8853  
Fax: (808) 945-9299



June 18, 2007

Mr. Curtis K. Matsuda, P.E.  
State of Hawaii  
Department of Transportation  
Highways Division  
601 Kamokila Blvd, Room 636  
Kapolei, Hawaii 96707

**FILE COPY**

Subject: Proposed 12 AG-2 Lot Subdivision  
59-426 Kamehameha Highway  
TMK: 5-9-05: 66

File No.: 03-27

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Attached for your review and approval are:

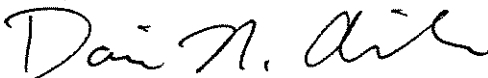
1. 1 – Set of the revised construction plans for the Ing 12 AG-2 Lot Subdivision.
2. 1 – Copy of the revised Pakulena Stream letter dated September 26, 2006.
3. 1 – Copy of the revised drainage analysis for the Ing 12 AG-2 Lot Subdivision.
4. 1 – Copy of the notarized and recorded DRCC's for drainage from TMK:5-9-005:083.

---

For your review and approval.

Please call me if you have any questions.

Very truly yours,

  
Darin Aihara

cc: Mr. Ed Ing  
Mr. Roscoe Ford



I hereby certify that this is  
a true copy from the records  
of the Bureau of Conveyances,  
as 3615692.

*for* 77 Gogo- Chang  
Register of Conveyances  
Advertiser Registrar, Land Court  
State of Hawaii JUN 15 2007 *zw*

LAND COURT SYSTEM

REGULAR SYSTEM

Return By: Mail ☐ Pickup ☐ To:

Total Pages: 05

Tax Map Key No: (1) 5-9-005:083

TCT No. 306,312

**DECLARATION OF RESTRICTIVE COVENANTS AND CONDITIONS**

THIS DECLARATION, made this 15<sup>TH</sup> day of JUNE, 2007,  
by EDWARD HOOMALU ING and SYLVIA KAUIKEOLANI ING, husband and wife,  
whose address is 3138 Paty Drive, Honolulu, Hawaii 96822, hereinafter called  
"DECLARANTS".

**WITNESSETH:**

WHEREAS, Declarants are the owners of a parcel of land at 59-410  
Kamehameha Highway, Haleiwa, Hawaii, as described in Transfer Certificate of Title No.  
306,312, herein the "Property", more particularly described in Exhibit "A", attached hereto and  
made a part hereof, and

WHEREAS, Declarants have filed an application for a new agricultural subdivision, herein the "Application", with the Department of Planning and Permitting of the City and County of Honolulu, herein the "DPP", and

WHEREAS, the Property is situated above Kamehameha Highway, and the Department of Transportation of the State of Hawaii, herein the "DOT", has concerns that the development of said Property may cause an increase in storm water run off from said Property onto the public highway, and

WHEREAS, Declarants desire to establish restrictive covenants relating to the water run off issue, and

WHEREAS, this Declaration is required by said DOT as a condition to any approval of said Application.

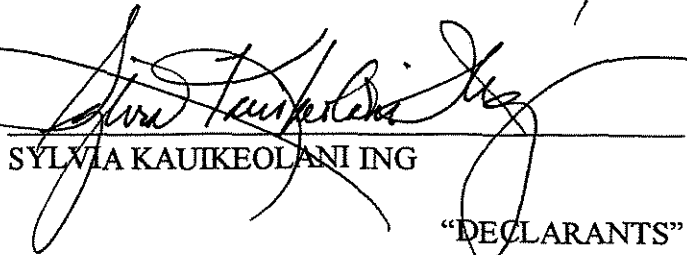
NOW, THEREFORE, Declarants hereby declare that the Property is held, and shall be held, conveyed, leased, rented, used, occupied and improved, subject, however, to said Declaration, as follows:

1. Declarants agree that said Property will not be developed, improved or altered in any way to cause storm water run off to impact Kamehameha Highway located "makai" of said Property.
2. That the Declarants shall take mitigative measures at their own expense with respect to any and all damages, which occur or might potentially occur as a result of such storm water run off onto Kamehameha Highway.
3. That Declarants shall file a certified recorded copy of this Covenant with the DOT and DPP, as a condition precedent to the approval of the Application and subsequent issuance of the building and grading permits.
4. That the Declaration of Covenant shall not be terminated, extinguished, nor canceled without the express approval of the DOT.

5. That this Declaration of Restrictive Covenants shall run with the land and shall bind and constitute notice to all the parties hereto and subsequent lessees, grantees, assignees, mortgagees, lienors, successors, assigns and any other persons who have or claim to have an interest in the Property, and the State of Hawaii shall have the right to enforce this Declaration of Restrictive Covenants by appropriate action at law or in equity against all such persons.

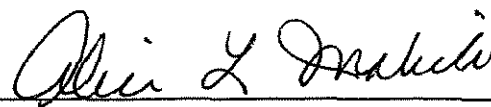
IN WITNESS WHEREOF, Declarants have executed this instrument on the date first above written.

  
EDWARD HOOMALU ING

  
SYLVIA KAUIKEOLANI ING  
"DECLARANTS"

STATE OF HAWAII )  
CITY AND COUNTY OF HONOLULU ) SS.

On this 15<sup>TH</sup> day of JUNE, 2007, before me personally appeared EDWARD HOOMALU ING and SYLVIA KAUIKEOLANI ING, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

  
Notary Public, State of Hawaii LS

Print Notary's Name:  
My commission expires:

**ALICE L. MALICK**  
**JULY 17, 2010**

## EXHIBIT "A"

All of that certain parcel of land situate at Pupukea, District of Koolauloa, City and County of Honolulu, State of Hawaii, described as follows:

LOT 523-B-2, area 17.656 acres, as shown on Map 116, filed with Land Court Application No. 1095 of the Trustees under the Will and of the Estate of James Campbell, deceased.

Being portion of the land described in and covered by Transfer Certificate of Title No. 306,312 issued to EDWARD HOOMALU ING and SYLVIA KAUIKEOLANI ING, husband and wife.

SUBJECT, HOWEVER, to the following:

1. Any lien for real property taxes not yet delinquent.
2. GRANT OF EASEMENT in favor of HAWAIIAN ELECTRIC COMPANY, INC., dated January 15, 1958, filed as Land Court Document No. 213433 for Utility purpose across, over and under Lot 523 for a term from January 15, 1958 to the termination of the trust created by the Will of James Campbell.
3. UNILATERAL AGREEMENT AND DECLARATION FOR CONDITIONAL ZONING dated June 5, 1986, filed as Land Court Document No. 1388166, made by Rodney Kim, Philip Johnston, Thomas Fujikawa, Joseph Reff, and Edward Koreyasu, Trustees of the PECA-IBEW Training Fund.
4. EASEMENT 204 (44 feet wide) in favor of Lot 523-A as shown on Map 115, filed with said Application No. 1095 for purpose of access.
5. Perpetual Covenants filed as Land Court Document No. 1388166.
6. EASEMENT 205 in favor of Lot 523-A as shown on Map 116, filed as Land Court Order No. 87106.
7. L/R/W in favor of HAWAIIAN ELECTRIC COMPANY, INC., filed as Land Court Document No. 213433 for the duration of the James Campbell Trust, Subject to A/Sec 213434.
8. GRANT OF EASEMENT in favor of HAWAIIAN ELECTRIC COMPANY, INC., filed as Land Court Document No. 3015359.
9. PAR CAN of L/R/W 213433, filed as Land Court Document No. 3015360.

10. CONSENT filed as Land Court Document No. 3015361 regarding Grant of Easement in favor of HAWAIIAN ELECTRIC COMPANY, INC., filed as LC Document No. 3015359.
11. MORTGAGE in favor of NEW CENTURY MORTGAGE CORPORATION, filed as Land Court Document No. 3050772
12. NTC Dedication of the within premises for Agricultural use filed as Land Court Document No. 3055724.

**END OF EXHIBIT "A"**



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**CONSTRUCTION ADMINISTRATION REPORT**

**PROJECT:** Ing 12 Log AG-2 Subdivision  
Haleiwa, Hawaii

**JOB No.** 03-27

**DATE:** June 19, 2007

**PRESENT AT MEETING**

Mike Amuro	State DOT ROW
Abby Boyett	State DOT ROW
Dean Yogi	State DOT ROW
Cey Murakami	Bow Engineering
Darin Aihara	Bow Engineering

**LOCATION/TIME:** State DOT Kapolei Office, Room 691 - 9:00A.M.

**MEETING TOPIC:** SDOT Right-Of-Way requirements for subdivision.

---

**MEETING NOTES:**

1. The two access points to Kamehameha Highway shown on the proposed subdivision map are allowed based on existing subdivision documents. The access rights for the two access points were granted by SDOT and shown on Land Court Application 1095 (Map 34), approved August 6, 1956.
2. Further evaluation of the project will be necessary for a valuation assessment of the water connections and the widening of the proposed eastern access point to Kamehameha Highway.
3. Construction plans shall be forwarded to the State DOT Right-of-Way Branch for an estimate of the valuation assessment fee. The final valuation assessment will be based on the subdivision's approved construction plans.
4. The developer shall ask owners of lots M-2, M-3-A, M-3-C-A, and M-4 if they will be willing to give up their direct access rights to Kamehameha Highway in exchange for the rights to use one of the proposed subdivision's access points for vehicular ingress and egress from Kamehameha Highway into their properties.
5. The developer will have to produce legal documents granting access rights through the subdivision to the owners agreeing to give up their direct access to Kamehameha Highway.